

the Pacific Ocean, south of the mouth of Carmel River, State of California, for the use of the California State park system; to the Committee on the Public Lands.

By Mr. **BAKEWELL**: Resolution (H.Res. 167) expressing the belief that the delegates to the international economic conference should strive to secure an international agreement for the coinage of gold and silver at a definite fixed ratio; to the Committee on Foreign Affairs.

By Mr. **BANKHEAD**: Resolution (H.Res. 168) providing for the consideration of S. 1581, an act to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, etc.; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the **SPEAKER**: Memorial of the State of Illinois, memorializing Congress to include in the independent offices appropriation bill such measures and appropriations as will permit the continuation of contracts to the State of Illinois relating to facilities available to mentally disabled veterans; to the Committee on Appropriations.

Also, memorial of the State of California, memorializing Congress to enact legislation prohibiting the importation of crude petroleum and crude petroleum by-products; to the Committee on Ways and Means.

Also, memorial of the State of Illinois, memorializing the Congress of the United States to disapprove and refuse to ratify the proposed treaty relating to the St. Lawrence waterway, that a fair and just agreement may be negotiated between the United States and Canada; to the Committee on Foreign Affairs.

Also, memorial from the Governor of California, memorializing Congress to adopt as part of its emergency unemployment-relief program an adequate bond issue, the proceeds of which shall be expended in furnishing employment to the unemployed; to the Committee on Ways and Means.

Also, memorial to the Congress to construct a ship canal across the State of New Jersey from Raritan Bay to the Delaware River, at a point near the head of navigation, and providing for the appointment of a committee to further this project; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. **ENGLEBRIGHT**: A bill (H.R. 5855) for the relief of Charles G. Johnson, State treasurer of the State of California; to the Committee on Claims.

By Mr. **HOIDALE**: A bill (H.R. 5856) to authorize the transfer of certain real estate by the Secretary of the Treasury to C. F. Colvin in settlement of the Northfield (Minn.) post-office-site litigation, and for other purposes; to the Committee on Claims.

By Mr. **McSWAIN**: A bill (H.R. 5857) for the relief of Mrs. William G. Serrine; to the Committee on Claims.

By Mr. **REECE**: A bill (H.R. 5858) for the relief of Charles C. Williams; to the Committee on Military Affairs.

By Mr. **SIMPSON**: A bill (H.R. 5859) for the relief of Matt Kerpan; to the Committee on Claims.

By Mr. **STOKES**: A bill (H.R. 5860) for the relief of Mary Ellen Tiefenthaler; to the Committee on War Claims.

By Mr. **WEST** of Ohio: A bill (H.R. 5861) for the relief of Tracey O'Brien Potter; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1239. By Mr. **BOYLAN**: Resolution adopted at the World Trade League 2-way trade dinner, May 17, 1933, New York City, N.Y., that the Congress of the United States invest the President with full authority to negotiate and

conclude reciprocal tariff arrangements, etc.; to the committee on Foreign Affairs.

1240. Also, resolution adopted by the Charles E. Wescott Post, No. 173, American Legion, Bath, N.Y., protesting against Senate bill 583; to the Committee on the Civil Service.

1241. By Mr. **COLDEN**: Resolution of the City Council of Los Angeles, Calif., with reference to welfare relief; to the Committee on Ways and Means.

1242. By Mr. **CULLEN**: Petition of the American Manufacturers Export Association, urging Congress to invest the President of the United States with full authority to negotiate and conclude such tariff arrangements, the exercise of this authority to involve such compensatory reciprocal advantages as the President may deem desirable in America's best interest to the Committee on Ways and Means.

1243. Also, petition of the World Trade League 2-way trade dinner, Hotel Roosevelt, New York, N.Y., on May 17, 1933, urging Congress to invest the President with full authority to negotiate and conclude such tariff arrangements, the exercise of this authority to involve such compensatory reciprocal advantages as the President may deem desirable in America's best interest; to the Committee on Ways and Means.

1244. By Mr. **DONDERO**: Petition of the Frank Wendtland Post, No. 253, American Legion, Department of Michigan, Royal Oak, Mich., protesting against the discontinuing of the manufacture by our Government of flour for distribution to the needs of Oakland County, Mich., through the American Red Cross Society; to the Committee on Agriculture.

1245. By Mr. **FORD**: Petition of Board of Supervisors of Los Angeles, regarding proposed Federal legislation for unemployment relief, and resolution recommending community land chest bill to Federal administration for consideration; to the Committee on Ways and Means.

1246. By Mr. **MEAD**: Petition of the Order of Railroad Telegraphers, regarding the emergency railroad bill; to the Committee on Interstate and Foreign Commerce.

1247. By Mr. **YOUNG**: Petition of the Temple on the Heights, Cleveland, Ohio, Erwin Hecht, executive secretary; to the Committee on Foreign Affairs.

1248. Also, petition of the Kneseth Israel Congregation, J. Milder, president, and M. B. Friedman, secretary; to the Committee on Foreign Affairs.

SENATE

THURSDAY, JUNE 1, 1933

(Legislative day of Monday, May 29, 1933)

The Senate met in executive session at 11 o'clock a.m., on the expiration of the recess.

Mr. **ROBINSON** of Arkansas. I suggest the absence of a quorum.

The **VICE PRESIDENT**. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Austin	Coolidge	La Follette	Robinson, Ark.
Bachman	Cutting	McAdoo	Sheppard
Barkley	Hale	McGill	Thomas, Utah
Borah	Hastings	Neely	Thompson
Bratton	Johnson	Patterson	Vandenberg
Brown	Kendrick	Pope	

The **VICE PRESIDENT**. Twenty-three Senators have answered to their names. There is not a quorum present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. **DILL**, Mr. **FRAZIER**, Mr. **LOGAN**, Mr. **NORRIS**, Mr. **OVERTON**, Mr. **TRAMMELL**, and Mr. **WHEELER** answered to their names when called.

Mr. **PESS**, Mr. **CAREY**, Mr. **NYE**, Mr. **DALE**, Mr. **KING**, Mr. **COUZENS**, Mr. **COPELAND**, Mr. **ADAMS**, Mrs. **CARAWAY**, Mr. **McKELLAR**, Mr. **VAN NUYS**, Mr. **ERICKSON**, Mr. **HAYDEN**, and Mr. **WHITE** entered the Chamber and answered to their names.

The **VICE PRESIDENT**. Forty-four Senators have answered to their names. There is not a quorum present.

Mr. ROBINSON of Arkansas. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the order of the Senate.

Mr. FESS. I desire to announce that the senior Senator from Oregon [Mr. McNARY] is detained from the Chamber for the time being on official business.

I also wish to announce that the Senator from Pennsylvania [Mr. REED], the Senator from West Virginia [Mr. HATFIELD], the Senator from New Hampshire [Mr. KEYES], the Senator from Rhode Island [Mr. METCALF], and the Senator from Minnesota [Mr. SHIPSTEAD] are detained from the Senate on official business.

Mr. BARKLEY. I desire to announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Virginia [Mr. BYRD], the Senator from Texas [Mr. CONNALLY], the Senator from Georgia [Mr. GEORGE], the Senator from Oklahoma [Mr. GORE], the Senator from North Carolina [Mr. BAILEY], the Senator from Connecticut [Mr. LONERGAN], and the Senator from Massachusetts [Mr. WALSH] are necessarily detained from the Senate in attendance upon a meeting of the Committee on Finance.

Mr. ROBINSON of Arkansas. I wish to announce that the Senator from South Carolina [Mr. SMITH] and the Senator from Illinois [Mr. DIETERICH] are necessarily detained from the Senate.

I also desire to announce that the Senator from Arizona [Mr. ASHURST], the Senator from South Dakota [Mr. BULOW], the Senator from Wisconsin [Mr. DUFFY], the Senator from Illinois [Mr. LEWIS], the Senator from Louisiana [Mr. LONG], the junior Senator from Nevada [Mr. MCCARRAN], the Senator from Georgia [Mr. RUSSELL], the Senator from Oklahoma [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], the senior Senator from Nevada [Mr. PITTMAN], the Senator from Alabama [Mr. BLACK], and the Senator from Washington [Mr. BONE] are necessarily detained from the Senate on official business.

Mr. KENDRICK. I wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Ohio [Mr. BULKLEY], the Senator from Colorado [Mr. COSTIGAN], the Senator from Maryland [Mr. GOLDSBOROUGH], the Senator from Delaware [Mr. TOWNSEND], the Senator from Connecticut [Mr. WALCOTT], the Senator from Oregon [Mr. STEIWER], the Senator from North Carolina [Mr. REYNOLDS], the Senator from New York [Mr. WAGNER], and the Senator from Alabama [Mr. BANKHEAD] are necessarily detained from the Senate in attendance upon a meeting of the Committee on Banking and Currency.

I also desire to announce that the Senator from Mississippi [Mr. STEPHENS] and the Senator from Iowa [Mr. MURPHY] are necessarily detained from the Senate in attendance upon a meeting of the Committee on Commerce.

After a little delay, Mr. CAPPER, Mr. CLARK, Mr. ROBINSON of Indiana, Mr. BYRNES, and Mr. KENDRICK entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to their names. A quorum is present.

COMMISSIONER OF INTERNAL REVENUE

The Senate resumed the consideration of the nomination of Guy T. Helvering, of Kansas, to be Commissioner of Internal Revenue.

Mr. ROBINSON of Arkansas. Mr. President, yesterday an agreement was entered into to vote at 3 o'clock on the pending nomination, the time to be equally divided between those who favor and those who oppose the nomination. I ask unanimous consent, for the convenience of the Chair and the Senate, that the time of those who favor the nomination may be controlled by the Senator from Kentucky [Mr. BARKLEY] and for those who oppose the nomination by the Senator from Delaware [Mr. HASTINGS].

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

Mr. HASTINGS. Mr. President, in view of the unanimous-consent agreement, inasmuch as 15 minutes have elapsed since the Senate convened, I assume that the time will be limited to 3¼ hours.

The VICE PRESIDENT. Fifteen minutes having elapsed, each side will have 1 hour and 52½ minutes.

Mr. HASTINGS. Mr. President, I want to apologize to the Senate for taking up so much time on this nomination, but in justification I desire to say that I think I am the only member of the committee who heard all the testimony in the case and attended all the hearings.

When the recess was taken last night I had finished reading a letter, appearing on page 4764 of the RECORD, from one W. D. Vincent, and I had called the attention of the Senate to the fact that the committee declined to let this letter be put in the record. The Senator from Kentucky [Mr. BARKLEY], when I had completed reading the letter, stated as follows:

The Senator is reading now from a letter which the committee refused to allow to go into the record, because the man who is alleged to have written it has been dead for 15 years, and nobody proved that it was his letter, nobody who read it ever saw his handwriting, there is not a word of evidence in the record to show that this man wrote the letter, and the Senator himself does not know that he wrote it.

I desire to call attention to two things in the record with respect to that statement of the Senator from Kentucky. There will be found in the committee hearings at page 96 the following testimony. Mr. Lamb appeared before the committee, and, having been sworn, was asked this question by me:

Senator HASTINGS. Did you know W. D. Vincent, who was president of W. D. Vincent Hardware Co., at Clay Center, Kans., on October 27, 1919?

Mr. LAMB. Yes, sir.

Senator HASTINGS. Do you remember writing him asking for his help in this matter?

Mr. LAMB. Yes, sir.

Senator HASTINGS. And did you receive in reply this letter?

Mr. LAMB. Yes, sir.

Senator HASTINGS. Do you know where Mr. Vincent is?

Mr. LAMB. I think he is dead.

Senator HASTINGS. Later, Mr. Chairman, I was going to ask that this letter be admitted in evidence.

He says in this letter—

(The portion of the letter read by Senator HASTINGS was later stricken out upon vote of the committee, sustaining objection by Senator CLARK.)

Do you know anything about the experience that he had?

Mr. LAMB. No, sir.

Senator HASTINGS. The letter goes on—

(The portion read by Senator HASTINGS was excluded from the record, in accordance with the previous notation.)

What kind of a man was Vincent?

Mr. LAMB. He was a man with a good reputation.

Senator HASTINGS. Was he likely to write that kind of a letter unless he believed it to be true?

Mr. LAMB. No, sir; he would not.

The CHAIRMAN. When was that letter written, Senator?

Senator HASTINGS. October 27, 1919.

The CHAIRMAN. This letter was received by you?

Mr. LAMB. Yes, sir.

The CHAIRMAN. And Mr. Vincent is dead?

Mr. LAMB. I understand so.

I desire also to call attention to the fact that at the time Lamb was making his report to the post-office inspector who investigated the matter, as appears on page 88 of the record, he made this statement:

After I had returned from Washington, in October 1919 I met Dr. G. A. Crise in front of the Gillett Hotel. While we were talking Senator H. W. Avery, of Wakefield, Kans., came out of the hotel. I was introduced to Mr. Avery as the postmaster of Manhattan. After discussing matters Dr. Crise stated to Avery that "Lamb is having some trouble, however, in retaining the office."

"Why is it?" asked Mr. Avery.

"I understand", replied Dr. Crise, "that Lamb will not come through with \$1,000."

"Well", returned the Senator, "that has always been Helvering's post-office price. I supposed he would raise the price since the cost of living has gone up."

After I returned from Washington I received a letter from a prominent citizen of Clay County. He wrote that he would like to see me win out as postmaster here and offered his assistance. Quoting a part of his letter, he stated:

"I know the man you have to deal with. If he aspires to political honors you may bring such pressure to bear that he will hardly dare to go back on you. Otherwise, there is only one thing that will count—money. I have not the slightest doubt that if you should promise to divide the salary the matter would be favorably settled immediately. I know by actual experience that he is that kind of a man * * *."

It will be observed by anyone reading the letter and reading that quotation from it that it is the same letter. I hold in my hand now the letter, written in pen and ink, indicating clearly that it is an old letter and was in Mr. Lamb's file and stated by him to have been received by him from Mr. Vincent.

Mr. President, it will be observed that in this letter Vincent stated that he "knew by personal experience." When Mr. Helvering came to the stand later I asked him with respect to this letter. I asked him what kind of a man Vincent was. I asked what he knew about him. He said he was a reputable business man at that place. It later was developed, by cross-examination by other Senators on the committee, that Mr. Vincent had been an applicant, while Mr. Helvering was in the Congress, for the position of postmaster at Clay Center—I believe it was at Clay Center. Mr. Helvering said the only trouble that he ever had with Vincent was the fact that he did not appoint him postmaster. I think I asked whether he could explain this letter written by Mr. Vincent and whether he could explain what Mr. Vincent meant when he said he "knew by personal experience."

It will be remembered that at this time Lamb was being approached, according to his testimony, by friends of Mr. Helvering suggesting on several occasions that he pay \$1,000, and that the president of the bank later came to him and said Mr. Helvering was willing to accept a monthly amount on account of this money that he wanted paid to him.

Lamb wrote Vincent and asked Vincent with respect to it. Vincent came back and said, "I know by personal experience." It did not appear in the record what that personal experience was, but Mr. Helvering said that he fell out with Mr. Vincent, and the only reason he fell out with him was that Mr. Vincent did not get the post office. I think we might very well ask the question whether or not the personal experience that he had with him was comparable to that which Mr. Lamb was having with him, and which Mr. Lamb undertakes to specify particularly in these letters that he wrote to the Department and in the statement that he made to the post-office inspector.

Mr. President, I desire to read further from this statement. Of course I appreciate that many of these things were rumors, but I appreciate also that when this important office is under consideration and Senators are passing upon the question of whether or not this is a fit man for the office, it becomes the duty of the Senate to make a thorough investigation and find out whether there is anything in the rumors. The statement of Mr. Lamb to the post-office inspector was dated Manhattan, Kans., November 18, 1919. I desire to read just a portion of it, appearing at page 87 of the committee hearings, as follows:

After I had taken charge of the post office on April 1, 1919, ex-Congressman Guy T. Helvering called on me in my office. I asked him if Mr. Cassell had conveyed to him the word sent him. He informed me that he had not, whereupon I repeated to Helvering the message I had intended for him.

It appears in the testimony that he told Helvering the message he sent to him, saying, "If you come from Mr. Helvering you tell Mr. Helvering that I say I shall not do it and he may go to hell", or words to that effect.

He informed me that he had not, whereupon I repeated to Helvering the message I had intended for him. Shortly after this visit, Mr. Helvering was entertained at dinner at my house, 528 Houston Street, Manhattan, Kans. While there, he stated, in the presence of my wife, that he was instrumental in having my name placed at the top of the list, this being accomplished with the assistance of members of the Civil Service Board, that I was not originally at the top of the list, but was placed there through his influence. After making this statement he continued with the statement that "I always take care of my friends when they take care of me." Shortly after this, Mr. S. J. Pratt, president of the Citizens State Bank, of Manhattan, informed me that Mr. Helvering wanted a certain amount of money. My recollection is that

the amount named was \$1,000, although I am not absolutely sure. According to statements made to me, it was intimated that the money was to be used to pay a member of the Commission for placing me at the top of the list. I refused to pay a cent, and Mr. Helvering, according to the statement of Mr. Pratt, was told that I had no money. Mr. Pratt further reported to me that Mr. Helvering then asked that I make monthly payments. I refused to do this, but did offer to release Mr. Helvering from payment of a bill for advertising, incurred during Mr. Helvering's previous campaign. Mr. Pratt reported back that Mr. Helvering stated that he would not accept this, and added that "I am not through with him."

I want to repeat what I said yesterday, that at the time Mr. Pratt made these statements he was acting postmaster. Just previous to that time, if not at that time, he had been president of the chamber of commerce of that town of some 10,000 people. He was a director of the Rotary Club. He owned and operated a newspaper which was published semi-weekly in that town, a Democratic newspaper. At the present time he is superintendent of agents of a large insurance company with offices at Manhattan, Kans. In this same statement to the post-office inspector he said:

On Sunday night, November 16, 1919, my wife and I entertained a professor of the Kansas State Agricultural College. While there he questioned me as to the probable outcome of my permanent appointment as postmaster. He stated to me that he had heard from reliable sources that J. M. Winter, ex-postmaster of Manhattan, had been paid back all money that he had paid Guy Helvering, said money being paid by Winter at various times in order that he might retain his position. The professor stated that he had heard this statement several times, and he was convinced that Winter was the victim of Helvering in securing money in this way.

On Monday, November 17, 1919, a well-known and reliable citizen stated to me that he was reliably informed that John Winter, ex-postmaster, had stated he had been repaid in money the amount received by Helvering; that this was done just before he resigned as postmaster, that Winter had stated to Helvering he would not resign until said money was returned, whereupon Helvering relinquished a certain amount previously given Helvering by Winter.

On Monday, November 17, 1919, Prof. Fred D. Merritt, of the college, met me in the Palace drug store and asked me if I knew anything new concerning my appointment. I evaded the question. He stated he was interested to the extent that he mailed "last night" a letter to the Secretary to the President of the United States, in which, among other matters, he informed the Secretary that Manhattan had had enough of inefficiency in years gone by and that he thought that the ex-postmaster (according to the rumor) had paid money to hold his position, and that it looked as if something of the sort was attempted here now, and he advised that the Department commence at Manhattan to clean out the politicians who attempted to receive money for appointments to postmasterships throughout the State.

There is in the record, and was placed there without objection, a letter from Mrs. Lena W. Brown, found at page 64 of the record of the hearings. I do not know who Mrs. Brown is. The letter is signed "Mrs. Lena W. Brown" and is dated Lawrence, Kans., March 12, 1933, and addressed to me. A part of the letter reads as follows:

The appointment of such a man as Helvering to this post is a slap at the decent citizens of this State. I voted for Mr. Woodring the first time he ran for governor, but became so disgusted with his administration that I would vote for him again for no office whatever. He was simply the tool of Mr. Helvering and his puppet, Mr. Woodring, were defeated in spite of their desperate attempts to buy the office of governor with patronage.

This appointment of Mr. Helvering would be no credit to Mr. Roosevelt in this State. It would do him a great deal of harm. I hope your committee will uncover enough of Mr. Helvering's crooked work to prevent him from taking this important office. We should have honest men in office, if such are to be found, especially at this critical time.

While you are investigating, I hope you will look up Mr. Helvering's record when he was serving as Representative in Congress from the fifth district of this State. I have been told on good authority that he sold post offices at that time—third-class post offices for \$350 each, and others all the way up to \$2,500, which was paid for the post office at Concordia, Kans.

I hope your committee will find out the truth about this man, and will not allow him to be whitewashed and permit him to receive this important post. We have good Democrats in this State, but this man will surely bring disgrace on the administration. His highway department, while he served under Woodring, smells to heaven and is to be investigated. If not whitewashed, and it will not be, although every effort will be made to hinder the investigation, it alone will be sufficient to cause embarrassment to Mr. Roosevelt.

I have written this especially to call your attention to the post-office deals reported to me, which I have every reason to believe are true.

Mr. President, on yesterday the Senator from Kentucky [Mr. BARKLEY], inquiring about the time for which it would be necessary for him to address the Senate upon this subject, made this remark:

I want at least time enough to reply to this stuff being dumped into the RECORD.

I desire to call attention to some of the "stuff" that the Senator from Kentucky himself "dumped into the record", as he puts it.

On page 71 of the record before the committee, placed there by the Senator from Kentucky, will be found several letters commending Mr. Helvering. Along with them is a letter directed to "Senator BARKLEY, Chairman of the Investigating Committee on Income Tax," dated Wichita, Kans., May 11, 1933, placed there by the Senator from Kentucky. I will read the letter. I never saw it and, as a matter of fact, never read it, until this morning.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HASTINGS. I yield.

Mr. BARKLEY. I received a number of letters from people in Kansas in favor of Mr. Helvering's confirmation. I received the letter to which the Senator refers opposing his confirmation. Contrary to the policy adopted by the Senator from Delaware himself, I put in the record what I received both for and against Mr. Helvering, whereas the Senator himself put in the record only what he heard and received against him.

Mr. HASTINGS. Does the Senator from Kentucky know that I received anything in Mr. Helvering's favor?

Mr. BARKLEY. I do not; but I assume that it would be impossible for the Senator to receive as many letters from Kansas as he seems to have received without getting at least a commendation now and then. Will the Senator say that he did not receive any?

Mr. HASTINGS. I say to the Senate that so far as my recollection goes, and I am quite certain I am correct, I did not receive a single letter from anybody commending Mr. Helvering for this position; and when I first took up this matter with the committee I distinctly stated to the committee that before I began the investigation I inquired of the senior Senator from Kansas [Mr. CAPPER] about this man, and he gave him a splendid reputation. I also told the committee that former Vice President Curtis had been to see me with respect to him, and had done the same thing. So far as I know, I was absolutely fair with the committee with every communication that was sent to me.

Mr. BARKLEY. Does the Senator think I acted fairly or unfairly in putting into the RECORD an unfavorable letter that I had received? And is he criticizing me for having done that?

Mr. HASTINGS. No; but this is what I am doing: I am contending that the letter written by Vincent back in 1919 is of a great deal more force, and ought to be of a great deal more weight with the Senate, than a letter written on May 11, 1933, after this particular appointment had been made. At the time the Vincent letter of 1919 was written there was no such question involved anywhere. It was a personal letter, written to a personal friend, stating what I assume and what I believe to be the facts at that time.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HASTINGS. I am going to yield this time; but in view of the fact that our time is limited, I am not going to yield further than this one time.

Mr. CLARK. Of course, the Senator will have had three times as much time as anybody else by the time he finishes, counting the 2 hours he has already taken. If the Senator does not want to yield, I will answer him in my own time. I simply want to correct a mistake in the record; that is all.

Mr. HASTINGS. All right. Does the Senator want to correct it?

Mr. CLARK. If the Senator is willing to yield, I will.

Mr. HASTINGS. I stated that I was perfectly willing to yield this one time; but I called attention to the fact that my time was limited, and that I did not want to yield further.

Mr. CLARK. The Senator said a moment ago that the letter from Vincent to Lamb was a letter from one personal

friend to another. As a matter of fact, Mr. Lamb testified on the witness stand on cross-examination that he had a very slight acquaintance with Mr. Vincent, and admitted that after he discovered that Mr. Helvering was not to recommend his reappointment he entered into correspondence with all the soreheads he could hear of all over Kansas who were mad at Mr. Helvering for not giving him the appointment. So it was not a question of correspondence between two personal friends; but Mr. Lamb's testimony shows that it was a correspondence between a couple of soreheads, trying to build up a case.

Mr. HASTINGS. This letter is as follows:

WICHITA, KANS., May 11, 1933.

Senator BARKLEY,

Chairman of Investigating Committee on Income Tax.

Reference: To Guy Helvering, that was nominated by the President as income-tax collector and his nomination was held up by the investigating committee of the Senate.

Now, Mr. BARKLEY, this letter is being written by C. B. McVicker, of Wichita, Sedgwick County, Kans. First, I have five reasons why I am writing this letter to you. If you care to, you can show this letter to Congressman AYRES or Senator GEORGE MCGILL. I am personally acquainted with both of them. Reasons are as follows:

First, I can furnish you three or four hundred employees that were under Guy Helvering here in Kansas, from the Hutchinson Reformatory down to the man that shovels gravel and the sand haulers that hauled the sand and the stenographers that made out their time, were all forced to pay to Guy Helvering from 5 to 12½ percent of their weekly and monthly salaries. This I can prove by men that were working on this work.

Second. He put the State of Kansas in the hole \$3,000,000. Where did the money go to? Who can answer that question? Nobody but Guy Helvering. If he was running for an office like Governor Woodring for reelection, he would not get away from the quarter pole. It was Guy Helvering that defeated Woodring for governor the second time. Now, Mr. BARKLEY, if you can show me where we have not got the best man in the Presidential chair that has ever been put in office, then I will say put one of the biggest robbers and crooks, put him in the chair, Guy T. Helvering.

Third. It was very unfortunate that Helvering was Woodring's manager. The people of Sedgwick County and 103 other counties in the State of Kansas would have supported Woodring, but they claim to vote for Woodring would be to maintain Helvering in the office. Therefore he was defeated by a Republican candidate, Alf. L. Landon, who is Governor of the State of Kansas. A thing that is very unusual, to have a Republican governor in a Democratic State.

Fourth. I want you to take time and read this through and you can show this to GEORGE MCGILL or W. A. AYRES, whom I have known for years. I am an old painter and decorator; was here in Wichita for years and years. I am 74 years of age and past, and I am not asking any alms and I have no income tax to pay, but I have friends that do have, and to h—I with Helvering. We do not want him in the office. What did he do at El Dorado in the oil business? What did he do here in Wichita in the oil game? What would he do if he ever got in again? I say, keep him out.

Fifth. I, C. B. McVicker, of Wichita, Sedgwick County, State of Kansas, can furnish you with several hundred of affidavits to truth and veracity in regard to the assertions of the foregoing letter that is enclosed. There is no reason, in my mind, why he should ever be appointed to any office by the President of the United States or anyone else, as far as that goes. I don't think he is eligible for a dog catcher, for he would catch your dog, then come around, turn him loose to you for a dollar and go away, then come back and catch him the second time, and charge another dollar or two to get your dog back.

I sincerely believe that his past history and crookedness in the office that he held here in Kansas, of which he put the State of Kansas over \$3,000,000 in the red, ought to be sufficient evidence to keep the President or the Senate from OK'ing this nomination. We have plenty of good, honest men in Sedgwick County, and plenty of them in the State of Kansas, who are fully qualified to handle the income-tax problems far better than this man Helvering, and it is a cinch that they are honest in their dealings. I am not in any way alarmed if you would want to publish this foregoing letter. Shoot. For I, C. B. McVicker, am a Scotch-Irishman and thoroughbred Democrat and a square shooter.

Thanking you for taking up so much of your valuable time in reading this letter, I am satisfied at these few lines; they might be more, but if I had the money to pay expenses with, I would get you three or four hundred names of former employees under Guy Helvering, that they had to come across with their cuts or donations to what he called a campaign fund or lose the job. Lots of them quit.

Would like to hear from you and see what you think of this letter. You can ask my two friends what they think of me—Congressman AYRES and Senator MCGILL; you know them both. I will now close by thanking you for your patience in reading this letter—if you are lucky enough to get it, which I see no reason why you shouldn't. Address all communications to 350 Riverview.

C. B. McVICKER.

I call attention to the fact that that letter was placed in the RECORD by the Senator from Kentucky.

Mr. President, it appears from the testimony, upon cross-examination, that Mr. Helvering was the chairman of the Democratic State committee of the State of Kansas, and that as chairman of the Democratic State committee he undertook to collect funds for the Democratic Party from the employees of the State. His attention was called to some charge that he collected and assessed as much as 5 percent. He positively denied that the amount assessed was 5 percent, and said there was no assessment at all; that it was a contribution that was requested, and he said it was 2½ percent. It turned out, however, upon cross-examination, that the 5 percent did apply to each particular year in which there was a campaign, which made 2½ percent for each year, they paying every 2 years.

There is in the record the fact that these statements were sent, as I recollect, to the School for the Blind, and that partially blind persons employed in the blind shop received such letters. Mr. Helvering excused himself in that matter by saying that that was done by the persons who had charge of that particular employment; but a very significant fact in this record is that Mr. Helvering himself was the head of the commission of the highway department, which employed as many as 1,500 persons. The point was made that they were not all Democrats. Mr. Helvering stated that 35 percent of them were Republicans, and he stated in his testimony that a request for funds went to all persons in his department, regardless of whether they were Democrats or whether they were Republicans; and we get the distinct impression that the Republicans responded quite as promptly as did the Democrats.

Mr. President, there may be different views upon this question of collecting money from employees of the State or of the Nation. People have different ideas with respect to it. It is contended by many that it is no harm for a person enjoying the position that Mr. Helvering did—namely, chairman of the State committee—to request of his own party employees holding political office that they contribute to a fund to take care of the campaign of that particular party. There is no particular complaint of that procedure from my point of view; but I say that this situation is quite different from that, in that this particular chairman of the Democratic State Committee of the State of Kansas was also the head of the road commission, employing 1,500 and more persons, 35 percent of whom were Republicans. What is a Republican going to do under circumstances like that, when he is requested by the head of the commission to contribute to the Democratic fund?

The sole claim that is made against this practice is that when it is done, it results in putting fear into the mind of the employee, and therefore that his contribution is not a voluntary contribution. If it can be shown that it is a voluntary contribution, there is no particular harm in it from my point of view; but when that cannot be shown, and when a man knows that the request he makes is bound to have an influence upon the employee that will compel him to contribute in a way that is not voluntary, then I say that the man who does that is quite too practical a politician to warrant his being placed in a position like this.

He was asked the question, "What effect did this have upon the employee?" and his reply was that he did not know what his mental reaction was to that request.

Mr. President, in addition to that, the charge is made here that he collected these funds and accounted to nobody, notwithstanding the law of the State of Kansas says that he must. True, he denied that; he said that he did account, that the account was audited, and that the whole thing was straightened out in a perfectly satisfactory way. We have no evidence of that except his own statement with respect to it.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER (Mr. BAILEY in the chair). Does the Senator from Delaware yield to the Senator from Kentucky?

Mr. HASTINGS. I yield.

Mr. BARKLEY. Either the Senator's recollection is faulty or he did not pay any attention to the matter. The chairman of the State Democratic committee and members of the State Democratic committee sent communications here, which were put into the record, showing that this whole matter was thrashed out before the committee, that Mr. Helvering was sustained unanimously, that an audit was made by the auditor of the State, or the State accountant, whichever it is, and that was put into the record, showing exactly how much money was collected and how much was expended; and there is no dispute about that fact.

Mr. HASTINGS. Mr. President, will not the Senator give me the page of the record? I apologize to the Senate with respect to what I have said. I have not seen that in the record and I do not remember that it was put into the record. It may have been put in, but I certainly did not see it; and if it is in the record, I think it would be well for the Senator to point it out in his own time.

Mr. President, there were two or three things I overlooked yesterday in discussing other phases of this question. In the first place, I want to call attention to the fact that the revenue agent in charge in Kansas at this very time, at the time Washington, Henry & Co. were performing there and at the time these cases were being sent to Mr. Helvering, was Mr. Helvering's cousin. That is admitted by Mr. Helvering himself.

In the report is a statement by the agents making the examination showing that a former partner of Washington, Henry & Co., stated that he left the company and went into business for himself, and he approached this revenue agent in charge in Kansas, the cousin of Mr. Helvering, and that agent advised him to get in touch with Mr. Helvering with respect to this matter. That will be found on page 9 of the record.

Mr. Gus V. Winston made this statement:

On or about August 29, 1918, I entered into a partnership agreement with Harry M. Washington to engage in business as auditors and income-tax specialists, and I financed the establishment of our Wichita (Kans.) office, which was conducted under the name of H. M. Washington & Co. I severed my connection as a member of the firm in June 1919. From the beginning of my association with Harry Washington he told me that he had a friend in Congress who understood the tax business and who could get information before anyone else could. He did not mention the name of the Congressman at that time, but from subsequent developments, particularly the retention of the services in Washington, D.C., of Guy Helvering, whose term in Congress expired March 4, 1919, I reached the conclusion that Helvering was the man to whom he referred. I do not know the financial arrangement which existed between Harry Washington and Guy Helvering.

Further along in his statement to the inspector he said:

Following an examination of the Oil & Gas Co. of Eldorado, Kans., made by Revenue Agent W. A. Seigal, in November 1920, as the result of which additional tax of \$211,000 was set up, the company gave me the case to try to effect an adjustment. I went to see Bert Halvern, the revenue agent in charge at Wichita—

That was the Representative's cousin—

who, after I had shown him the records, admitted that the report was wrong, but stated that it was too late for him to do anything as all the papers had been sent to Washington, D.C. He said when I got to Washington, D.C., I should see Guy Helvering, who he said would be glad to take the case, and he even wrote to Helvering, without any suggestion on my part, and told him about the case, and that I would probably be in Washington to see him. Bert Halvern told me later that he had received a reply from Guy Helvering to the effect that he would be glad to help me out. When I went to Washington, D.C., I took the case up with the department myself and did not go to Helvering because I knew he would want a percentage for securing abatement of the \$211,000 additional tax, whereas the Oil & Gas Co. is not only unable to pay anything additional but feels that it is entitled to a refund of part of the tax already paid for 1917.

In that same connection the records show that this revenue agent in charge when this investigation was complete was demoted to a field position.

I desire also to call attention to a statement made by Edgecomb in his statement to the inspectors, which appears on page 8. It is true that when he was on the stand, and I read him this, he could not recall having made it, but the statement was made shortly after the event, and, as Edgecomb states, his recollection would have been very much

better than than it is at the present time. He made this statement, talking about the Trapsshooters Oil Co. case:

Immediately following the hearing held before Mr. Powell in the Commissioner's office in Washington, D.C., some time in April 1920, and while I was walking along the streets of Washington, D.C., in company with Harry Washington, I stated to him that he shouldn't take me for a fool; that I realized there was something crooked about the demands made on me for \$10,000 and other amounts by him and Mr. Guy Helvering, and that he might as well tell me the whole truth about their scheme instead of trying to hoodwink me. To this Mr. Washington only answered, "Forget it; I don't care what you think of me personally, the matter is all settled now", or words to that effect.

I desire also to call attention to the fact that nowhere in the records in these cases will one be able to find the name of Mr. Helvering mentioned as counsel. No power of attorney has been filed; and his name is not mentioned, so far as I have been able to find, in any of these records.

One matter which I intended to call to the attention of the Senate appears in the report of the inspector on page 183, in which he makes this statement:

5. Deputy Collector H. W. Washington, in his report, July 21, 1917, attached, states as follows:

Now, be it remembered that Washington was the same man who appeared later with Helvering in the *Slim Jim Oil Co. case*, and succeeded in having the tax reduced to \$459,000; but when Washington was deputy collector, on July 21, 1917, with respect to the *Slim Jim Oil Co. case* he had this to say:

On March 21, 1917, the company (Slim Jim) sold its undivided one half interest for \$1,750,000. After reviewing all these transactions and book entries with the officers of the Slim Jim Oil & Gas Co. it is quite evident to us that this company now proposes to include these amounts as income for the year 1916, in an effort to evade the increase in the rate of income tax, as well as the excess-profits tax, which it will quite likely have to pay if the profit is properly returned in the year 1917.

In connection with the collection of campaign funds, I intended to quote from a statement made by Representative McGugin, who appeared before the committee and left with the committee a letter signed by the four Republican Members of Congress from Kansas, recommending the confirmation of Mr. Helvering. He was asked this question by Senator BARKLEY:

Senator BARKLEY. With reference to these campaign collections from employees, what has been the custom in Kansas with reference to that?

Mr. McGugin. I would say it has been more or less the custom of both parties to collect these funds. I rather think, under the leadership of Mr. Helvering, it was handled more efficiently and more effectively and more practically than probably it had ever been done before. It is a policy that should be stopped by both parties, no doubt, and probably will.

I think, Mr. President, I have pretty thoroughly covered this record, and I have no more to say upon the subject for the moment.

Mr. BARKLEY. Mr. President, I yield 10 minutes to the senior Senator from Kansas [Mr. CAPPER].

Mr. CAPPER. Mr. President, I rise to speak briefly in support of the confirmation of Mr. Helvering for this important appointment. Personally and politically I would prefer to have a Republican for Commissioner of Internal Revenue. Mr. Helvering is a Democrat, from my home State of Kansas. I have known him and known of him for 25 or 30 years. We have been always of opposite political faiths. Mr. Helvering has always supported my opponent in every campaign in which I have been before the voters as a candidate. He has not solicited my support in this case. I have no interest in the matter other than to see a citizen of my State receive fair treatment. I have examined carefully all the testimony taken by the Finance Committee, and find nothing to justify me in voting against Mr. Helvering's confirmation.

Mr. President, since we cannot have a Republican nominated for this office—and I believe it is quite evident that we cannot—I am glad to say to my colleagues in the Senate that the nominee is a high-class citizen, well known and respected in Kansas, and worthy of support. He is a high-class business man, whose business and personal integrity is

not questioned in his home State. I believe him to be honest and well qualified to fill the position to which he has been appointed. He has been the center of several vigorously contested political campaigns, but that does not, in my judgment, disqualify him from holding office under a Democratic administration. If I opposed his confirmation, it would be for political reasons, and I will not permit purely partisan considerations to determine my decision in such a matter as this. Let me say also that my position is no reflection on any Senator who considers it his duty to oppose confirmation of Mr. Helvering.

I do not intend to make any extended speech; I just want to assure the Senate that, as a fellow Kansan, I intend to vote for Mr. Helvering's confirmation, and know of no reason other than partisan reasons why any Senator should not do likewise.

The Senator from Delaware made reference to a statement filed with the Committee on Finance by the four Republican Representatives from the State of Kansas, which was made voluntarily, and I am glad to join with them in the statement made as to Mr. Helvering. The statement was dated May 15, 1933; was addressed to Hon. ALBEN W. BARKLEY, chairman of the subcommittee of the Committee on Finance, and is as follows:

MAY 15, 1933.

RE: CONFIRMATION OF GUY T. HELVERING, AS COMMISSIONER OF INTERNAL REVENUE

HON. ALBEN W. BARKLEY,

Chairman Subcommittee, Committee on Finance,
United States Senate, Washington, D.C.

DEAR SENATOR BARKLEY: We, the undersigned four Republican Members of Congress from Kansas, have no interest in Democratic appointees to office. As Members of the House of Representatives, we have no desire in any way to intrude upon the prerogatives of the Senate in the matter of confirmations.

As Representatives of the State of Kansas, we are interested in doing what we can to see to it that no citizen of Kansas, irrespective of politics, is unfairly and unjustifiably assailed as to character and ability.

We regard Hon. Guy T. Helvering as a man of high character and exceptional ability. He has been our political foe, but where personal character is concerned, we feel that party consideration should be cast aside.

Very truly yours,

U. S. GUYER,
CLIFFORD R. HOPE,
W. P. LAMBERTSON,
HAROLD MCGUGIN.

Mr. BARKLEY. Mr. President, I yield 15 minutes to the junior Senator from Kansas [Mr. MCGILL].

Mr. MCGILL. Mr. President, I desire to thank my friend, the Senator from Kentucky, for yielding to me a few moments of the time. I have not been able during the period since the hearings were held before the Finance Committee to go over those hearings carefully or to study the testimony in detail, but, insofar as I have been able to ascertain from those hearings, anything detrimental to the confirmation of Mr. Helvering is based wholly and solely upon the purest kind of hearsay testimony—testimony that would not be received or accepted for any purpose in any court in this country.

Mr. President, I only desire to say a few words in behalf of the nominee. Mr. Helvering is a graduate in law from the law school of Ann Arbor. From reading the views of the minority, filed by the Senator from Delaware [Mr. HASTINGS], it would appear that the question of Mr. Helvering's competency to fill the position to which the President has nominated him is the chief one in issue. Therefore, I direct the attention of the Senate to the educational qualifications of this man. At the time he was a young man, after graduation from the law school he went to the city of Marysville, in the State of Kansas, and was soon thereafter elected to the position of county attorney of his county. My recollection is—and I think the record discloses—that he was elected twice by the people of that county to serve as their prosecuting attorney.

In 1912 the Fifth Congressional District of Kansas first honored him by electing him as their Representative in the Congress of the United States. He was reelected in 1914 and again reelected in 1916. It is a rather unusual thing,

notwithstanding the statement of my good friend from Wichita, Mr. McVicker, for a man to be elected as a Democrat three times from a congressional district in Kansas.

Mr. CLARK. Mr. President, will the Senator from Kansas yield to me?

Mr. MCGILL. I yield.

Mr. CLARK. I should like to ask the Senator from Kansas if he heard the statement of one of the star witnesses, relied on by the Senator from Delaware, to the effect that one of the phenomena in the recent election was the election of a Republican governor of Kansas. I should like to ask the Senator from Kansas if, in his experience, it has been any unusual thing to have a Republican governor elected in the State of Kansas, as indicated by the Senator from Delaware?

Mr. MCGILL. Mr. President, in response to the question of the Senator from Missouri, I will state that the history of Kansas discloses no man elected on the Democratic ticket as Governor of Kansas has ever been reelected. So I think Kansas can hardly be designated as having been a Democratic State. However, I feel that it is now, and I hope it will continue to be.

Mr. Helvering, after having served 6 years in the House of Representatives of the National Congress, established a bank, or became the president of a bank, in the city of Salina, Kans. Salina is about the fourth or fifth city in population in the State. After living in Salina for a period of only a few years, Mr. Helvering was elected mayor of that city, and served either 1 or 2 terms as the mayor of the city of Salina. I feel that the commendation of the people of the county in which he first resided, the commendation of the people of the congressional district in which he resided, and the commendation of the people of the city in which he now makes his home is one of the best of recommendations and overthrows the weight of any testimony coming here in the form of communications from those who have seen fit to write to the members of the Committee on Finance of this body.

Mr. President, something has been said with reference to the collection of campaign funds by Mr. Helvering as chairman of the Democratic State central committee during the last two campaigns in that State. I do not personally know anything with reference to that matter. The committee handling my campaign was a different and a distinct committee. However, the testimony adduced before the committee discloses the fact to be that the course pursued has been a practice of both the major political parties in that State. I assume also it has been a practice indulged in by State committees in many other States of the Union. I doubt not that there are Senators here who can confirm this conclusion.

However, whatever may be said with reference to that matter, whether we put our stamp of approval on it here or whether we do not, or whether individual Members of this body do or do not, permit me to suggest that the State chairman of the Republican State committee in the administration preceding that of Governor Woodring was appointed by the then Governor as the highway director of the State, and it is admitted by the testimony of the Republican Members of the delegation from Kansas in the House of Representatives that the same practice was indulged in by that and other Republican State administrations. The then State chairman, if you please, Mr. President, is the present Governor of the State of Kansas.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MCGILL. I yield to the Senator from Kentucky.

Mr. BARKLEY. As I understand, then, the Republican State chairman under the Republican Governor who preceded Governor Woodring, while State chairman, was appointed director of highways?

Mr. MCGILL. Director or commissioner of highways—I do not recall the exact title of the office.

Mr. BARKLEY. And, while being Republican State chairman and also director of highways, that he collected campaign funds from appointees of the Republican administration?

Mr. MCGILL. What I mean to say is that he was the chairman of the Republican State committee and the testimony before the Senate Finance Committee discloses the fact to be that the Republican State committee indulged in the same practice as was indulged in by the Democratic committee under the administration of Governor Woodring.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MCGILL. I yield.

Mr. CLARK. I should like to ask the Senator if he thinks it would be possible to get letters from any disgruntled Republican office seekers in Kansas to the effect that the present Governor is no good because he did not give them appointments to office?

Mr. MCGILL. I do not like to pass upon what might be anticipated from members of the opposition party. However, let me direct attention to this in support of what my colleague [Mr. CAPPER] has had to say in certifying to the character of the nominee. A distinguished American, one, I feel, who is known either by reputation or personally to practically every Member of this body, sent a telegram to the chairman of the Finance Committee. This Kansan is a nationally known writer; he is the editor of one of the large daily newspapers of my State. He is not my political ally, and I do not think he has ever been, but, notwithstanding that fact, I regard him to be a man of high character and a good citizen. I refer to the Honorable William Allen White. Here is the telegram, published in the report of the Finance Committee, sent by Mr. White relative to Mr. Helvering. He says:

Speaking as a Kansan of the opposite political faith, I should like to attest the sound business judgment, brains, and high standing as a citizen of Guy T. Helvering.

This communication, the testimony of Republican Members of the House coming from the State of Kansas, and the statement of my colleague at least ought to carry such weight as to overthrow the conclusions reached by the minority of the Finance Committee to the effect that Mr. Helvering is not qualified to fill the office to which the President has seen fit to nominate him.

Mr. President, something has been said in the course of the remarks made by the distinguished Senator from Delaware [Mr. HASTINGS] relative to an investigation conducted relative to the practices of Mr. Helvering and the firm of Washington, Henry & Co. and others before the Bureau of Internal Revenue here in Washington. I do not intend, and I have no desire to take the time of the distinguished Senator from Kentucky, a member of the committee, in discussing in detail the facts relative to the oil concern to which reference has been made, but I do find a significant statement in the conclusion of the report of the special investigator. It would seem, Mr. President, that this investigation was largely brought to pass by virtue of certain articles appearing in a newspaper in the State of Kansas edited by a distinguished Republican, former Governor of the State of Kansas and a former Member of this body. This is what this special investigator had to say at the conclusion of his report:

We were of the opinion that a thorough reexamination of tax cases enumerated in our previous report would disclose practices on the part of Helvering which would warrant his disbarment, at least, and possibly criminal prosecution.

That was the opinion entertained by the special investigator at the time he began the investigation. Let us see what his conclusions are:

However, we have been advised today by Deputy Commissioner Batson that an examination of several of these cases has been made in the Bureau by men selected because of their technical knowledge of the matters to which the cases relate and that they have reported to him that the adjustments appear to have been made in accordance with the law and regulations. Therefore, there would seem to be no occasion to make the field examination which we suggested.

In other words, the conclusion reached was that the cases handled by Mr. Helvering had been handled according to the law and according to the regulations of the Department of the Treasury.

Mr. President, there is other testimony here which has been called to the attention of the Senate in the questions propounded by the distinguished Senator from Kentucky and the distinguished Senator from Missouri relative to the employment of a firm of attorneys here, one being the brother-in-law of a former distinguished Vice President and the other the Republican national committeeman from the District of Columbia. The testimony of the Republican national committeeman from the District of Columbia, who was later employed in the Slim Jim Oil Co. case, was to the effect that the record in said case disclosed no fraud committed or engaged in by Mr. Helvering.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Texas?

Mr. MCGILL. I yield.

Mr. CONNALLY. Is it not true that he not only said there was no fraud, but that there was no contention of fraud by the Government in the case at all?

Mr. MCGILL. That is my recollection.

Mr. CONNALLY. There was no contention by anybody connected with the Bureau of Internal Revenue in the reinvestigation of the case that raised any issue of fraud or charged any fraud?

Mr. MCGILL. That is my recollection.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BARKLEY. Mr. President, I yield 10 minutes more to the Senator from Kansas.

Mr. MCGILL. Mr. President, another matter was mentioned here this morning with reference to the post office at Concordia, Kans., in which some lady by the name of Brown, from Lawrence, Kans., has written the distinguished Senator from Delaware indicating that the postmastership had been sold by Mr. Helvering while he was a Member of the House of Representatives. The postmaster was Mr. A. B. Karney. He appeared before the Finance Committee and disputed any such contention. Mr. A. B. Karney is a man with whom I am well acquainted. He was formerly a member of the State Senate of Kansas and is now a resident of Wichita, Kans.

All the testimony I have been able to read relevant to any alleged irregularities concerning postmasterships has been refuted. Nothing has been brought home to the nominee, Mr. Helvering. I do not care to transgress upon the time of the members of the committee who desire to address the Senate on the question, and I therefore submit, in the light of the record, the nomination of Mr. Helvering should be confirmed by this body.

Mr. MCGILL subsequently said: Mr. President, I find that in the remarks submitted by me a while ago I made an erroneous statement, which I desire to correct. I made a statement to the effect that the present Governor of Kansas was, under the administration of former Governor Reed of that State, highway director. That was my impression at the time. I find, however, I was in error in that statement, and I desire to correct it at this time.

Mr. BARKLEY. Mr. President, I yield 10 minutes to the Senator from Missouri [Mr. CLARK].

Mr. CLARK. Mr. President, there are a few matters in the record which I think should be pointed out to the Senate. We are all familiar with the language of the old hymn we used to hear when we were boys—

While the lamp holds out to burn
The vilest sinner may return.

Therefore it has been a matter of very great interest to every Member of the Senate, to see the distinguished Senator from Delaware [Mr. HASTINGS], who has defended every infamy of the Mellon regime in the Treasury, who was one of those who were active in putting the notorious Bob Lucas into the commissionership of Internal Revenue, maintaining him there just long enough to enable him to read the income-tax returns of the large taxpayers and then taking him out of the Bureau of Internal Revenue and associating him with the unspeakable Joe Grundy for the purpose of "frying fat" for the Republican National Committee, now

so anxious as to the character of Treasury officials. In the light of those facts it is very interesting, indeed, to see the tender solicitude exhibited by the distinguished Senator from Delaware for the standards to be maintained in the Bureau of Internal Revenue.

Mr. President, I invite the attention of the Senate to the fact that upon the Finance Committee are 6 members, 6 Senators, who, over a period of many years, have been closely associated and acquainted with Mr. Helvering, the nominee in this case. The chairman of the Finance Committee, the Senator from Mississippi [Mr. HARRISON], the Senator from Kentucky [Mr. BARKLEY], the Senator from Connecticut [Mr. LONERGAN], and the Senator from Texas [Mr. CONNALLY], were all Members of the House and served as colleagues of Mr. Helvering during the 6 years of his membership in that body. The junior Senator from California [Mr. McADOO] was Secretary of the Treasury during the period in which Mr. Helvering was a member of the Ways and Means Committee of the House, during the great period of war financing, and came into the closest possible contact with him. I was Parliamentarian of the House throughout the first 4 years of Mr. Helvering's service in that body. I invite the attention of the Senate to the fact that every Senator and everyone else who has personal knowledge of Mr. Helvering and had an opportunity of being personally acquainted with him is strong in his support for this high office.

I invite further attention to the fact that the distinguished Presiding Officer of this body, the Vice President of the United States, served in the House with Mr. Helvering and served upon the Ways and Means Committee with him; that his voice, so far as he is able to express it in this body, is in behalf of the confirmation of Mr. Helvering.

I invite attention to the fact also that the two able and distinguished Senators from the State of Kansas [Mr. CAPPER and Mr. MCGILL], one of them a Republican and the other a Democrat, have given testimony as to Mr. Helvering's fitness for the position; that the distinguished and beloved former Vice President of the United States, Mr. CURTIS, has borne witness to the high standing of Mr. Helvering; that the four Republican Members of the House of Representatives from Kansas, with an opportunity to know Mr. Helvering, have taken the trouble to do the unusual thing of appearing before the Finance Committee to bear testimony to Mr. Helvering's fitness for the position.

I invite attention to the fact that two eminent publicists, to mention only two among the many in the State of Kansas, both ardent Republicans, William Allen White and Victor Murdock, have declared openly in favor of the confirmation of the nomination of Mr. Helvering.

Every man except a few soreheaded, disappointed office seekers who have been here in this connection, every man who has had an opportunity of knowing Mr. Helvering, has appeared in support of his nomination, and it has remained only for the Senator from Delaware [Mr. HASTINGS], the distinguished former judge of the police court in Wilmington, Del., to enter upon an excursion into the sewers underneath the factionalism in the State of Kansas to undertake to find some filth to throw upon this nominee.

I am not going to undertake to review the record in this case. That will be done by the Senator from Kentucky [Mr. BARKLEY], who was chairman of the subcommittee of the Finance Committee that heard the evidence, but I do want to call attention to the kind of testimony upon which the Senator from Delaware relies here to make a case.

His star witness, brought at the expense of the Government from away out in Kansas for the purpose of discrediting Mr. Helvering, was a man named Lamb, a disappointed applicant for the post office, rancorous against Helvering because Mr. Helvering did not recommend that his temporary appointment be made permanent.

Mr. Lamb was brought here at Government expense, at the instance of the Senator from Delaware, for the purpose of trying to discredit the nominee in this case. He went upon the witness stand and testified to a state of facts that no reasonable man could possibly believe. He testified

that four times he had been approached by a man named Cassell, who had solicited at his hands a contribution of \$1,000 in consideration of being appointed postmaster; that he had told Cassell to go and tell Mr. Helvering to "go to hell"; that he had nothing to do with him and did not want anything to do with him. He testified further that thereafter Mr. Helvering came to see him at the post office and that he asked Helvering out of a clear sky whether Cassell had delivered the message that Lamb had sent to Helvering; that Helvering replied that he had not, and Lamb thereupon repeated to Helvering that he had sent him word by Cassell to "go to hell."

At that point in the examination he was asked what Mr. Helvering said in response and he said that he could not remember that Helvering had said anything.

He then testified that shortly thereafter he invited Helvering to his own home to dinner; that at the dinner table, out of a clear sky, without anything having been said to justify the remark, apropos of nothing at all, Helvering suddenly informed him that he, Helvering, had had him moved from the bottom of the eligible list to the top of the eligible list; that Helvering claimed to have some sort of control over the Civil Service Commission; and that Helvering then made the significant remark, "I always take care of my friends when they take care of me." When Mr. Lamb was asked what he said in response to this remark of Helvering or what his wife said in response to it or what Helvering said further during the course of that meal, he was unable to remember anything.

Mr. LONG. Mr. President—

Mr. CLARK. I yield to the Senator from Louisiana.

Mr. LONG. Does this man who claims he told Helvering to "go to hell" then invite him to his home to have dinner with him?

Mr. CLARK. I am coming to that in just a moment.

Mr. BARKLEY. Perhaps that is what he meant by "go to hell"—to go to dinner with him. [Laughter.]

Mr. CLARK. In Mr. Lamb's first appearance before the committee he left the very distinct impression that his conversations with Mr. Cassell, in which Cassell had undertaken to shake him down for a thousand dollars on behalf of Helvering, were after he had received the recess appointment and was already in office and when the matter of his permanent appointment was pending. But following Mr. Lamb upon the witness stand Mr. Cassell, the man with whom he claimed to have had these conversations, was called to testify and he made as frank and outspoken and candid a witness as I have ever seen on the witness stand in all my experience as a lawyer.

Mr. Cassell not only denied specifically and categorically the story which Mr. Lamb had told, but he also went into a circumstantial account that at the time of Mr. Lamb's appointment as postmaster he, Cassell, had not spoken to Lamb for more than 8 months. The Senator from Delaware, acting as prosecuting attorney, was not satisfied to leave the record in that shape and he recalled Mr. Lamb and then it was disclosed for the first time that these four conversations which Lamb claimed to have had with Cassell were before Lamb's appointment as temporary postmaster. In other words, Mr. Lamb's testimony—and we took him over the whole matter two or three times—stands in this shape, that he asked the Senate of the United States and the country to believe that four times in the month before his appointment as temporary postmaster, this man Cassell came to him trying to shake him down for a thousand dollars as a condition for Helvering's recommendation of his appointment; that on each occasion Mr. Lamb responded to Mr. Cassell that Mr. Helvering could "go to hell"; that he did not want anything to do with him; that thereafter Mr. Helvering actually recommended him and had him appointed, and Mr. Lamb does not contend he was not appointed temporary postmaster upon the recommendation of Mr. Helvering.

Mr. MCGILL. Mr. President, will the Senator yield?

Mr. CLARK. I am glad to yield to the Senator from Kansas.

Mr. MCGILL. Does not the record disclose that Mr. Lamb served a full 4-year term as postmaster?

Mr. CLARK. That is perfectly true; but Mr. Lamb would ask us to believe that, after having been interviewed four times by an agent of Mr. Helvering, who tried to shake him down and who told him he would not be appointed postmaster unless he came through with a thousand dollars, on each occasion responded that Mr. Helvering could "go to hell", and Mr. Helvering actually did appoint him thereafter. He would have the Senate further believe that the first time Mr. Helvering came to Manhattan he came into the post office and out of a clear sky he—Lamb—said, "Did you receive my message that I told Cassell to tell you you could 'go to hell?'" Whereupon Helvering stood mute, according to Lamb. Having received this insulting ultimatum, Lamb would have us believe that Helvering stood there mute and thereafter had no conversation on the subject.

The PRESIDING OFFICER. The time of the Senator from Missouri has expired.

Mr. BARKLEY. Mr. President, I yield 10 minutes more to the Senator from Missouri.

Mr. CLARK. Thereafter, without any further conversation on the subject, Lamb invited Helvering to his house, where apparently amicable relations were resumed; until right out of a clear sky, in the presence of Lamb's wife at the dinner table, Helvering made this preposterous remark to the effect that he "always took care of his friends when they took care of him"; but at that point the conversation was dropped, and nothing further was ever said about the matter.

I say to the Members of the Senate that if they will read the record they will find that the star witness of the Senator from Delaware testified to such a preposterous statement that he is not entitled to the credence of any reasonable man.

Then they brought in another man, out on parole from the Kansas penitentiary for embezzlement, who testified that Helvering told him to go and get a thousand dollars from somebody. It is upon witnesses of that sort, it is upon testimony of that sort, it is upon letters written by members of the group in Kansas headed by the goat-gland specialist, Dr. Brinkley, it is upon the testimony of letters of men who have been dead for 15 years, who were unsworn, to the effect that they knew Helvering to be a rascal—a fact that they discovered after they themselves were not appointed postmasters—that the Senator from Delaware relies to make his case.

I say that the proceedings in this case, the character of the testimony here adduced, and the inclusion in the record by the Senator from Delaware of a letter which had been ruled out by the unanimous vote of every member of the Finance Committee except himself, constitute a highly discreditable performance.

One thing I forgot to recount of the testimony of Mr. Lamb is the fact that according to Mr. Lamb's own statement, while he was not willing to give \$1,000 to be appointed postmaster, so he says, he was perfectly willing to give Helvering a bill that he claimed Helvering owed him. Just what the difference is between a man who admits that he is willing to forgive a small bill and one who is willing to pay a larger sum, what standing he has as a witness, I will leave to the Senator from Delaware to explain. I repeat that the conduct of this matter has been highly discreditable.

Mr. BARKLEY. Mr. President, I suppose I have the right to conclude this argument; and if there are any other speeches against this man's confirmation I should like to have them made now, so that I can answer them all at once.

Mr. COUZENS. Mr. President, I do not know who has charge of the time, but I should like to speak in opposition to the confirmation.

Mr. BARKLEY. The Senator from Delaware has charge of the time on the other side.

Mr. HASTINGS. I yield to the Senator from Michigan whatever time he desires.

Mr. COUZENS. Mr. President, I did not expect to say anything about this case, because the Senator from Delaware [Mr. HASTINGS] has had more contact with the witnesses and has gone more thoroughly into the testimony than I have; but the Senator from Missouri [Mr. CLARK] yesterday took occasion to bring politics into the question. I want to say, so far as I am concerned, that at no time have I engaged in any political controversies in the Senate or had any concern about political appointments.

Mr. CLARK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. COUZENS. Yes; I yield.

Mr. CLARK. I should like to say that I entirely acquit the Senator from Michigan of any such conduct or intention.

Mr. COUZENS. I thank the Senator.

For many long years I have had experience in employing men and engaging men for responsible positions and have not made many errors; but I want to say, in all fairness, that even the confirmation of Mr. Helvering, which is going to take place, is not going to end this controversy. My good friends on the other side of the Chamber can railroad this confirmation through. They have done it in the past, and they are going to continue to railroad confirmations through; but such a course is not going to command public confidence.

If there ever was a time in the history of the Nation when the public should have confidence in their Government, confidence in their public officials, confidence in their integrity and their honesty, it is now. The mere votes of a few Senators on one side or the other, and especially in confirmation of men like this nominee, are not going to settle the issue. If Senators over on the other side do have four or five or a dozen majority to confirm this nominee, I hope they do not think that settles the issue so far as the country is concerned. It is wholly immaterial to me how Senators on the other side vote. They have their own problems to settle; but I want to say to them, in all good faith, that the matter will not be settled after they have confirmed this man.

Mr. President, in my judgment, this man has a disreputable record in his associations with the Bureau of Internal Revenue, the very Bureau of which it is proposed to put him in charge. From my contact with him on the several occasions when he appeared before the Finance Committee, he was shifty, and there was not at any time a doubt in my mind that he had confederates in the Bureau of Internal Revenue.

Mr. President, whether any of these details are proved as to whether Mr. Helvering asked money for post-office appointments, or whether he was a politician, or what he did in his position as commissioner of roads of Kansas, in my opinion, is not material, except so far as those things tend to confirm the type of man he is. Entirely outside of that, however, there is not any doubt in my mind that he had confederates in the Bureau of Internal Revenue, and there is not any doubt in my mind that if his confirmation takes place, and he is sworn in, he will have confederates outside of the Treasury Department.

Mr. President, all we have to consider is the kind of a frame-up that took place in the *Slim Jim Oil Co. case*, where it was perfectly apparent that Mr. Helvering had confederates inside the Bureau who sent out an assessment for one hundred and fifty-odd thousand dollars, and then had the matter fixed up on the outside so that it would be settled for \$7,000.

You lawyers can argue details, and you can discuss words, and you can quibble about whether or not this is competent evidence on which to send a man to jail. That is not the question that controls me. I am not interested in whether this is good or bad evidence from a criminal standpoint. We are not sending this man to jail. We are not going to convict him of being a criminal. We are just going to say whether we, in our judgment, think he is a fit man to administer billions of dollars of revenue that we collect from

the taxpayers of the United States. To quibble about mere details, and whether this is good or bad evidence, in my judgment is entirely wide of the issue.

Mr. McCARRAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Nevada?

Mr. COUZENS. I yield.

Mr. McCARRAN. Just for a question. I should like to have an explanation from the Senator as to the discrepancy between the \$125,000 and the \$7,000 settlement. The Senator has it in his mind and has given thought to it.

Mr. COUZENS. I heard that particular part of the testimony. The Senator from Nevada has the figures a little wrong. I have not read the testimony for some days, and I have not it here, because I am not going to go into the details of the testimony. The Senator from Delaware has done that. I am telling you my convictions and observations from contact with the man and hearing part of the testimony. Frankly, I did not hear it all. I reached the full and definite conclusion after seeing him, seeing his shifty eyes and his shifty methods when responding to questions and testifying before the committee, that he was not a fit man for that office; and I reached the conclusion that no matter what kind of testimony he gave, whether it was legally sufficient to convict him of a crime or otherwise, it would not change my opinion as to his fitness for the office.

In response to the question of the Senator from Nevada I will say that, as I recall, there was a dissolution of a company; and when the company was dissolved they set aside \$25,000 to pay, as they thought, their income tax. Later—and if I am slipping up on some of the testimony I hope the Senator from Delaware will correct me—the company got an assessment of \$152,000, I think. They then employed this firm of Washington, Henry & Co., I think the names are, two former employees of the Bureau of Internal Revenue, who in turn employed Helvering. As I remember, one of the officials of the company came to Washington. They met in the Washington Hotel on a Sunday morning. Helvering asked for \$10,000 to employ an engineer, a New York engineer, who he said—

Mr. CLARK. Mr. President, will the Senator yield?

Mr. COUZENS. Just let me finish. I did not interrupt the Senator.

Mr. CLARK. I am sure the Senator does not want to misstate the record.

Mr. COUZENS. The Senator can correct me if I make a mistake. I am not saying that Helvering admits this. I do not charge that. I think he may have denied some of it. I think he afterward testified that he was going to employ an engineer from his own office.

Mr. CLARK. All I wanted to do was to call the Senator's attention to the fact that this man Edgecomb himself appeared on the stand and testified three times that the engineer Helvering wanted to employ was from Washington; and the Senator from Delaware [Mr. HASTINGS] refreshed his memory and said he was from New York.

Mr. COUZENS. I desire to say that I was not present when that testimony was given; but it is wholly immaterial to the point I am coming to, because as a matter of fact, as I recall, no engineer was employed.

Mr. HASTINGS. Mr. President, will the Senator yield for a moment?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Delaware?

Mr. COUZENS. I yield.

Mr. HASTINGS. That is twice that the Senator from Missouri has made that statement. No reasonable man can read the record and no reasonable man could have heard him make the statement without realizing that it was a slip of the tongue, pure and simple.

Mr. CLARK. Three slips.

Mr. COUZENS. It does not matter. We do not need to argue those things. This is not a court. Nobody is being tried under criminal law, and nobody is going to be sent to jail. I want the Senate, if possible, to get the impression that I have of the man. That is the deciding question

here. It is not a question of whether we are going to send him to jail or whether he is going to be convicted. The question is whether or not he is the straight and honest and reliable kind of man that ought to be placed in such an important position. My observation of the man is that he is not.

Then observe, Mr. President, that after this assessment of \$152,000 was received by this man, and after he found that he could not get \$10,000 for his engineer, he entered into an agreement to take what was left out of \$25,000 that the firm had theretofore put aside to pay its income taxes. Now, remember, all the firm had set aside was \$25,000. The Bureau of Internal Revenue had assessed them \$152,000. Any reasonable person knows that when Helvering agreed to take what was left out of \$25,000 for his fee, he knew that the Government was not going to insist upon its \$152,000 assessment.

What happened? They entered into an agreement. The firm say, substantially, they did not have any more money to put up than the \$25,000, that they had already set aside. Mr. Helvering entered into an agreement in which he said, in substance, "I will pay the tax out of the \$25,000 and take what is left", on a \$152,000 assessment.

I was convinced, after observing this man and hearing the testimony, that when Helvering entered into that agreement he knew that the Government never intended to collect \$152,000, and that it was a "phony" assessment. The distinguished Senator from Virginia [Mr. GLASS] has repeatedly stated on this floor, to his knowledge, that thousands of "phony" assessments were made so that confederates outside of the Bureau of Internal Revenue would get a rake-off from having the assessments reduced.

There is no lack of testimony in that connection. There is plenty of it in evidence before this body; and now, Mr. President, it is proposed to put in charge of that very Bureau a man who participated in that practice. Not only did he participate in the practice, but he divided 60-40 with the crooks that were afterward thrown out. No one denies it. It cannot be denied. He testified that he had a 60-40 arrangement to share in the profits of this concern that afterward was kicked out of the Treasury Department for dishonest conduct. Then, after he got his deal concluded with this taxpayer, he walked over to the Treasury Department and got the \$152,000 claim settled for \$7,000; and then they split some \$18,000 between Washington, Henry & Co. and Helvering.

Mr. President, I am not going to waste a lot of time in discussing this question. I am settling this question in my own mind from a keen observation of the man and his past record in connection with the Bureau of Internal Revenue. Politics, and his conduct in Kansas, have no relation to my decision.

Mr. BARKLEY. Mr. President, I want to inquire again whether there is anybody else to speak in opposition to this confirmation?

Mr. HASTINGS. Mr. President, I desire to say to the Senator from Kentucky that I hope to reserve some time myself to make some reply.

Mr. BARKLEY. Mr. President, I inquire again whether I am entitled to conclude the argument in this matter?

The PRESIDING OFFICER. The Chair will inform the Senator from Delaware that he has 59 minutes remaining.

Mr. HASTINGS. Mr. President, I am not ready to take it yet.

Mr. BARKLEY. There will be only one more speech on this side, and I insist that I have the right to conclude the argument. If the Senator is going to use any more time, I want him to use it before I speak.

The PRESIDING OFFICER. Is there further discussion?

Mr. CONNALLY. Mr. President, it seems to me that the contention of the Senator from Kentucky is a fair one.

The PRESIDING OFFICER. The Chair will rule on that. Those advocating the confirmation have the affirmative. The burden is, therefore, upon them, and they have the right to conclude.

Mr. BARKLEY. Mr. President, there is to be only one more speech on this side in favor of the confirmation of Mr. Helvering, and if there are other arguments to be made in opposition, I insist that I am entitled to have them made before I begin my remarks.

The PRESIDING OFFICER. Does the Senator from Delaware desire further to be heard?

Mr. HASTINGS. If the President please, I propose to reserve, if I may, sufficient time to answer the argument made on the other side in reply to the arguments I made yesterday and today. That is my expectation, and that is my right, I respectfully submit to the President.

Mr. BARKLEY. Mr. President, that demand, I will say, is typical of the unfairness which has been practiced in this case from the beginning. I am entitled to conclude this argument.

Mr. HASTINGS. I have no objection to the Senator from Missouri and the Senator from Kentucky accusing me of all kinds of unfairness. I am making this record, and I will leave it to the Senate and to the country to say whether I have been fair or unfair.

Mr. ROBINSON of Arkansas. A point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. ROBINSON of Arkansas. The Chair having ruled that the concluding argument shall be made by those who favor the nomination, and the Senator in charge of allotting the time to those in favor of the nomination having announced that there is only one more speech to be made from that side, if the Senator from Delaware refuses to proceed with the argument now, or if others opposing the nomination decline to proceed, and the Senator from Kentucky takes the floor, will it not result in precluding further argument from those opposed to confirmation?

The PRESIDING OFFICER. The Chair is of that view.

Mr. McNARY. Mr. President, I think the position of the Senator from Delaware is eminently fair. I think those who are insisting on the confirmation should make their position known, which they have not done up to this time. If the Senator from Kentucky will proceed with his argument to a conclusion, the Senator from Delaware may desire to answer it, and there may be some time left for the Senator from Kentucky. There is no rule by which the Senator from Delaware can be forced to take the floor at this time or at any other time. The orderly procedure and the fair procedure would be for the Senator from Kentucky to proceed. After he has finished his argument—

Mr. ROBINSON of Arkansas. Mr. President, in all proceedings with which I am familiar, those on the affirmative side have the right to open and close. The Senator from Oregon is apparently attempting to reverse that.

Mr. McNARY. Not at all.

Mr. ROBINSON of Arkansas. And I respectfully suggest that there is no argument to support that contention.

Mr. McNARY. I am not suggesting that. I am suggesting that the Senator from Kentucky proceed now if he wants to speak. At the conclusion of his remarks the Senator from Delaware can use the portion of the time allotted to him. There will be opportunity then for the Senator from Kentucky or anyone else to conclude the argument. But it is not fair, and there is no rule to support the position, that the Senator from Delaware should be forced to take the floor at this time.

Mr. BARKLEY. Mr. President, it is perfectly apparent what is intended. The Senator from Delaware spoke 2 hours yesterday and an hour today. At the conclusion of his 2-hour speech yesterday we entered into an agreement to divide the time equally today. He has left 59 minutes, practically an hour, and I have an hour and 15 minutes. If I occupy that hour and 15 minutes now, then the Senator from Delaware will be allowed to occupy an hour in conclusion of the argument, which, I say, under all rules of parliamentary procedure, would be unfair. If I go ahead and speak now and then stop in the middle of my remarks in order that he may occupy his time, it will make it necessary for me to divide my remarks into two speeches, which I do

not wish to do. I insist that, in view of this record, I am entitled to conclude the argument.

Mr. HASTINGS. Mr. President, I am not taking the position the Senator from Kentucky is taking—that I have a right to close the argument. I do not care anything about whether I close the argument or not, but I do want to have an opportunity to reply to what is to be said in favor of confirmation of this nomination.

The Senator from Arkansas points out that the Senator from Oregon is trying to reverse the rule. As a matter of fact, if no objection had been made here, the confirmation would have gone through without argument. I have filed a minority report. I there take the affirmative side, and undertake to sustain the minority report by opening the argument. If I had not made a speech on that subject, the other side would not have made any speech. That shows that the affirmative is upon my side.

I do not care anything about closing the argument, but I do want to have an opportunity to answer the speech made by the Senator from Kentucky if he undertakes to analyze this record, and to show that this man is entitled to confirmation by the Senate.

Mr. CONNALLY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CONNALLY. As I understand, the Chair ruled that the Senator from Kentucky is entitled to the closing speech. If the Senator from Delaware does not care to proceed at this time, would it be in order to move that the Senate take a recess until 1:45 o'clock, and thereby allow the Senator from Kentucky to address the Chair in the allotted time, in view of the insistence of the Senator from Delaware that he proceed?

Mr. McNARY. Mr. President, let me suggest to the Senator from Kentucky that he now proceed with his argument, and we agree that he may have 20 minutes or 30 minutes to close the argument in the case.

Mr. BARKLEY. Mr. President, I have no desire to split up what I have to say in two speeches. In order to accommodate the Senator from Delaware, I would have to stop in the middle of my remarks and let him reply to the first half of my speech, and then proceed with the last half of it.

Mr. REED. Mr. President, as I understand it, the Senator from Kentucky has an hour and 15 minutes of time left. I do not suppose the Senator from Delaware expects to use all of the 59 minutes that remain to him.

Mr. HASTINGS. Not over 10 minutes.

Mr. REED. May I suggest that the way out of this difficulty is for the Senator from Kentucky to go ahead now and use his entire hour and 15 minutes, and then the Senator from Delaware will share with him the 59 minutes that will remain, so that the Senator from Kentucky can make his whole speech, and need not break it in half, as he seems to be afraid he might have to do.

Mr. BARKLEY. I will say to the Senator that I do not even know that I want to use the hour and 15 minutes. I certainly hope that I can conclude in less time than that. But I do not want to be in the position of having to stop in the middle of what I have to say in order that the Senator from Delaware may reply to what I have said up to that time.

Mr. REED. Mr. President, I am proposing that the Senator should not have to stop; that he go ahead and make his full speech now, just as though that ended the whole matter, taking the hour and 15 minutes if he wants to, which is the most he could take under the present arrangement; that then, after that, the Senator from Delaware, who, after all, did have yesterday afternoon's time, share the remaining hour with the Senator from Kentucky. We speak of the right to open and close. It is perfectly obvious that if that right were vested in the Senator from Kentucky he never did open. The Senator from Delaware has never had a chance to answer.

Mr. BARKLEY. The fact that I did not open is no reason why I should be denied the right to close.

Mr. REED. Of course it is not.

Mr. BARKLEY. We had a right to hear the objections. We made a report favorable to this man, and we had a right to presume that his nomination would be confirmed unless there were objection, and the objection was made.

Mr. REED. Of course, and the Senator has a right to answer all that has been said by the Senator from Delaware; but he, in common fairness, ought to have some right to reply to what the Senator from Kentucky may say. That is just elemental justice. If he is willing to share his remaining time with the Senator from Kentucky surely that would be a generous act, and would protect everyone.

Mr. BARKLEY. I want it understood that, whatever arrangement is made, I do not know that I even want to reply.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. McNARY. That was the very point I suggested to the Senator from Pennsylvania. The Senator from Delaware has concluded his remarks. He only asks, in common justice, an opportunity to reply to any new matter that may be brought out in the discussion of the subject by the Senator from Kentucky. The Senator from Delaware only wants a few minutes, probably 10 or 15 minutes, to reply. I see every quality of fairness in the proposition that the Senator from Kentucky make his speech in full, then permit the Senator from Delaware to reply briefly, and then, if the Senator from Kentucky desires to close, he will have ample opportunity.

Mr. BARKLEY. Mr. President, if that is understood, I have no objection. It is understood that if necessary I will have sufficient time, out of whatever time remains, to reply, if I desire, to the Senator from Delaware.

Mr. McNARY. I think we have a common understanding.

Mr. BARKLEY. Mr. President, I regret very much that there has drifted into this case what seems to me to be undoubted prejudice.

The PRESIDING OFFICER. May the Chair interrupt the Senator for a moment to say that the 15 minutes which have been consumed in the discussion of the method of procedure will, by unanimous consent, be eliminated entirely from the time to be taken in the argument.

Mr. BARKLEY. That is entirely agreeable.

I regret, as I have said, that what appears to me to be an undeniable element of prejudice has entered into the consideration of this case, and I regret exceedingly to have to include the Senator from Michigan [Mr. COUZENS] among those who seem to be prejudiced against Mr. Helvering by reason of his appearance, or by reason of his manner when he appeared the first time before the Committee on Finance.

Mr. COUZENS. Mr. President, will the Senator from Kentucky yield to me?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Michigan?

Mr. BARKLEY. I yield.

Mr. COUZENS. It was not the first time he was before the committee. He was before the committee several times, as the Senator knows, before the final testimony was taken.

Mr. BARKLEY. I know he was twice before the committee. The Senator from Michigan was present on one of those occasions, but certainly did not hear all the testimony.

The Senator from Michigan awhile ago made the statement, without the slightest evidence whatever in this record, without even a suspicion of anything that could be regarded as reliable testimony, that he believed that Mr. Helvering while he was practicing a year or two before the Bureau of Internal Revenue had confederates on the inside of that Bureau who assisted him in the tricky settlement of tax cases that were pending before the Internal Revenue Bureau. I am surprised and I am pained that the Senator from Michigan, without any evidence whatever, would give expression to such sentences on the floor of the United States Senate.

Mr. COUZENS. Of course I deny that, and the Senator can challenge the good intention of the Senator from Michigan all he wants to.

Mr. BARKLEY. The Senator made that statement here, and the RECORD will show it, just as he made a statement a

few days ago intimating that there were 30 Members of this body under the control and domination of the power interests.

Mr. COUZENS. That is not true, either.

Mr. BARKLEY. If the Senator did not change the Record, he did make that intimation when we were voting on the tax on electric power during the consideration of the tax bill; but I merely mention that as evidence of the fact that the Senator from Michigan, with all his good intentions, with all his fine qualities, draws hasty conclusions as to the character of men with whom he associates.

Mr. COUZENS. And they have proved invariably to be right.

Mr. BARKLEY. According to the Senator's prejudices, of course, his conclusions are invariably right. There have been more underhanded methods resorted to in order to defeat the confirmation of this man Helvering than in any case which has come under my observation since I have been a Member of the United States Senate. The Finance Committee called Mr. Helvering, according to its practice, before it when this nomination was referred to it nearly a month ago. Mr. Helvering was called in to give a sort of résumé of his life and his activities, so that the Finance Committee might size him up, might see him and know something about him. Those of us who had served in the House of Representatives with him knew all about him; we had our own estimation of his character and of his ability; but most of the members of the Finance Committee had not met Mr. Helvering, and, according to the committee's practice in most cases, he was called before them to testify as to his qualifications. The same thing was done with reference to Mr. Acheson, who was appointed Under Secretary of the Treasury, as the same thing has been done with reference to other cases.

When Mr. Helvering came before the committee, without any other member of the committee, so far as I know and so far as the record shows, having been advised of the fact, the Senator from Delaware [Mr. HASTINGS] produced an old record that had been dug out of the Treasury Department, a record which was 14 years old, which Mr. Helvering had never seen, had never heard of and knew nothing about, and the Senator from Delaware began to examine him with reference to certain transactions in 2 or 3 tax cases which I will enter into a little more in detail in a few moments. As a result, a subcommittee was appointed to hold whatever hearings might be necessary, to bring witnesses to Washington to testify, witnesses whose names are in the record which the Senator from Delaware "pulled" on the nominee without his previous knowledge that there was any such record.

I was appointed as chairman of the subcommittee to bring these witnesses to Washington and hear their testimony, to find out whether there was any truthfulness in the insinuations that they had put in the record without the knowledge or without any warning on the part of this nominee. Among those witnesses were a man named Washington and a man named Henry, who had formed a partnership as expert accountants out in Kansas, and who had sent to Mr. Helvering some business involving taxes pending before the Internal Revenue Bureau. After I was appointed chairman of the subcommittee I conferred with the chairman of the committee, the Senator from Mississippi [Mr. HARRISON], as to bringing these witnesses to Washington. I also conferred with the parliamentary clerk of the Senate to ascertain whether we had a right to summon these witnesses and to pay their expenses. I learned that we did have that right. Then I went about learning where they were, and I discovered that one of them was in California, one of them was in Texas, and one of them still remained in Kansas. Just as I was preparing to send for these witnesses, the Senator from Delaware came over to this side of the aisle and said:

I have found a record in the Treasury Department giving the testimony of one of these men, and if Mr. Helvering is willing to accept that as the testimony of this man, I will agree that you need not send for these witnesses, because one of them is in Cali-

fornia and one is in Texas, and therefore it will not be necessary for us to summon these men to Washington to hear their testimony.

I agreed that I would consult with Mr. Helvering and ascertain whether he was willing that the statement which the Senator from Delaware or somebody else had found in the Treasury Department should be accepted as the testimony of, as I recall, Mr. Henry. I saw Mr. Helvering, and he said that he would like to look over it. He did look over it, and reported to me that it would be entirely agreeable for that record to be used as the testimony of Mr. Henry. I notified the Senator from Delaware of that fact; and therefore I did not summon these witnesses before the subcommittee of the Finance Committee.

We went on and had Mr. Helvering before us again. His testimony is outlined here in the record; and it was perfectly apparent that there was nothing to the charges that had been made against him; that they were all *ex parte* insinuations made by certain men for one reason or another; and while we took no formal vote on it at that meeting, it was perfectly apparent that the Senator from Virginia [Mr. BYRD] and myself had reached the conclusion that this man's nomination ought to be confirmed; that we intended to make that report to the full committee, and we did make that report to the full committee 2 or 3 days later.

When the full committee met, and the majority of the subcommittee made their report to the full committee, then it was that the Senator from Delaware read a long written minority report in which he practically accused the Senator from Virginia and myself of refusing to summon these witnesses to Washington under the circumstances to which I have referred. I took occasion in the committee to refer to the fact that the Senator from Delaware had come on to this side and suggested that they be not summoned. He did not deny that statement, and he will not now deny it.

Mr. ROBINSON of Arkansas. Mr. President—

Mr. BARKLEY. I yield to the Senator from Arkansas.

Mr. ROBINSON of Arkansas. I was just going to say, recalling the statement made a few moments ago by the Senator from Kentucky, that it was at the instance and suggestion of the Senator from Delaware that the witnesses—certain witnesses—be not summoned and that a statement already of record in the Department should be used, that it is astonishing to learn, if it be the case, that the Senator from Delaware would pursue such a course; that he would take the initiative in having the subcommittee refrain from subpoenaing witnesses and then complain that they had not been subpoenaed.

Mr. BARKLEY. That is precisely what did occur, as every member of the Finance Committee will testify, including the Senator from Virginia [Mr. BYRD].

Mr. HASTINGS. Mr. President—

The PRESIDING OFFICER (Mr. DUFFY in the chair). Does the Senator from Kentucky yield to the Senator from Delaware?

Mr. BARKLEY. I yield.

Mr. HASTINGS. I think the Senator from Arkansas does not understand—

Mr. BARKLEY. If the Senator from Delaware is going to make a speech, he will have an opportunity to reply. I have not finished.

Mr. ROBINSON of Arkansas. Mr. President, if the Senator from Kentucky will permit me, I understand fully the statement made by the Senator from Kentucky, and it implies a course of conduct on the part of the Senator from Delaware that cannot be compared favorably with anything charged against Mr. Helvering.

Mr. BARKLEY. I want to say in addition to that—

Mr. HASTINGS. Mr. President—

Mr. BARKLEY. Just a moment; I do not yield at this point. After the minority report had been filed with the full committee by the Senator from Delaware, I think he took the Senator from Virginia [Mr. BYRD] and myself to task for not summoning these men to Washington, and the Senator from Virginia [Mr. BYRD] and I stated to the full

committee exactly what I have said here. Then the Senator from Delaware further insisted that these men be brought to Washington, and, without a dissenting voice so far as I recall, the full committee ordered that these men be brought to Washington; they were brought here at Government expense, and testified as the record here will show. I mention it only as evidence of the tactics which have been resorted to in this case, of the effort to besmirch this man, and the effort to delay action on the part of the Senate until Congress might adjourn so that there would be no action on the matter of confirming the nomination for Commissioner of Internal Revenue.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HASTINGS. Mr. President—

Mr. BARKLEY. I yield to the Senator from Missouri.

Mr. CLARK. I should like to ask the Senator if the effect of this maneuver on the part of the Senator from Delaware in asking that witnesses not be brought before the subcommittee and then insisting that they be brought before the full committee was not to delay any action on this matter for about a week or 10 days?

Mr. BARKLEY. The Senator from Delaware can answer that question; but the result was that action was delayed for about 2 weeks.

Mr. HASTINGS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield, but I cannot yield for a speech.

Mr. HASTINGS. I am not going to make a speech, but I want to explain to the Senator from Arkansas the situation with respect to the witnesses.

The PRESIDING OFFICER. Does the Senator from Kentucky yield for that purpose?

Mr. BARKLEY. How long will it take?

Mr. HASTINGS. A minute or two.

Mr. BARKLEY. I will yield the Senator 2 minutes.

Mr. HASTINGS. I want to say that there was a witness whom it was necessary from my point of view for the committee to hear, namely, Henry, because in the testimony he had given before the Department he said there was a definite contract between him and Helvering with respect to fees, and that was different from what Helvering had stated. He was the only witness that I cared anything about. When we got before the committee Helvering made another long statement, in which he changed his whole testimony—or not the whole of it, but most of his testimony—which made it necessary, after I had heard it, in my judgment, to seek to get the other witness here.

Mr. BARKLEY. The Senator did not renew his request or his demand that these witnesses be brought here until the subcommittee had made its report to the full committee. Then, when we had made our report recommending favorable action, he demanded that these witnesses all be brought to Washington, thereby causing a delay of about 2 weeks in the consideration of this matter.

Not only that, Mr. President, but as chairman of the subcommittee handling this matter as the agent of the Finance Committee, I was entitled to be furnished every bit of the evidence in the Treasury Department with reference to Mr. Helvering. After I was appointed chairman of the subcommittee, and after the Senator from Delaware had produced a report in the full committee, upon which he cross-examined Mr. Helvering without Mr. Helvering ever having known there was any such report, I called up the Treasury Department and talked to Mr. Irely, the Chief of the Intelligence Service, who, in my judgment, has been furnishing the Senator from Delaware all the evidence that he has found in the Department. I asked Mr. Irely whether there was any additional report, whether there was any additional evidence, whether there were any additional documents in the Treasury Department that would shed any light upon this matter. I told him that I was chairman of the subcommittee, and that I was entitled to any such evidence. Mr. Irely replied to me that there was nothing else in the Treasury; that the Senator from Delaware had received the only report that was there, and that there was nothing else there that shed any light upon Mr. Helvering's activities in the Department of the Treasury. Yet at the very next meeting of the sub-

committee the Senator from Delaware showed up with a report that was a foot thick which he had gotten from the very agencies which had denied to me, as chairman of the subcommittee, that there was any such evidence there or that I might have an opportunity to see it.

I point these things out, Mr. President, in order to show that down in the Treasury Department there is a little clique of Mellon appointees who do not want this man made Commissioner of Internal Revenue because they fear—and I hope to heaven the fear may be justified—that he will “fire” every one of them before he is there a week. I know what I am talking about, because I have received evidence from men on the inside of the Department, who have told me all about the little schemes that have been hatched up in the Treasury Department to defeat this man's confirmation.

Mr. DILL. Mr. President—

Mr. BARKLEY. I yield to the Senator from Washington.

Mr. DILL. What is the name of the gentleman who failed to give the Senator the report?

Mr. BARKLEY. His name is Irely, and he is head of the Intelligence Bureau of the Internal Revenue Bureau of the Treasury Department.

Mr. DILL. Either he lacked intelligence when he talked to him, or he lacked integrity.

Mr. HASTINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Delaware?

Mr. BARKLEY. I yield for a question.

Mr. HASTINGS. Is it not true that I turned over several reports to the Senator from Kentucky?

Mr. BARKLEY. The Senator from Delaware turned over certain reports to me after they had been turned over to him first by the agents in the Treasury Department. Every bit of this evidence and all of the reports that I received were received by me from the Senator from Delaware and not from anybody in the Treasury Department, and some of them only after I requested them. When the Senator from Delaware first presented the report to the full committee, which none of us had heard anything about, I asked to see it. Later the Senator sent the other one to my office at my request. I am not accusing the Senator from Delaware of refusing to turn over the reports. I say that as chairman of the subcommittee I had the right to them, at least an equal right with the Senator from Delaware, who was a minority member of the subcommittee. So much for that.

Now, Mr. President, what about Mr. Helvering? I was elected to Congress in 1912. I went into the House of Representatives on the 4th of March 1913, on the day on which Woodrow Wilson took the oath of office as President of the United States. On that same day Guy T. Helvering became a Member of Congress from the State of Kansas. It was at that time an unusual thing for a Democrat to be elected to the National House of Representatives from the State of Kansas, and it has been a rather unusual thing since, although it is not so unusual at the present time. At this moment there sits on the floor of the Senate a distinguished Member from the other body who, during most of the time from then until now, has been the only Democratic Representative from the State of Kansas. I refer to Representative AYRES.

Mr. MCGILL. Mr. President, will the Senator yield?

Mr. BARKLEY. Certainly.

Mr. MCGILL. In order that the record may be clear I should like to say to the Senator that there are three Members of the House of Representatives sitting on this floor at the present time who are Democrats from the State of Kansas.

Mr. BARKLEY. Yes; as a result of the last election the proportion has been somewhat changed.

I served for 6 years in the House of Representatives with Mr. Helvering. Mr. Helvering was looked upon not only by Democrats but by Republicans as an honest, hard-working, conscientious representative of the people. During his 6-year term he had an honor conferred upon him which comes

to but few men in such a short service. He was made a member of the Ways and Means Committee, which is the ambition of almost every man who comes to the House of Representatives, because that is regarded as the most important and most distinguished committee of the House of Representatives. During his 6 year's service in the House Mr. Helvering became a member of the Committee on Ways and Means and as a member of that committee he helped to frame the income-tax laws of 1916 and of 1917. In the November election of 1918 Mr. Helvering was defeated, along with many other Democrats, by reason of the issues that had grown out of the war and he was retired to private life. When he retired on the 4th of March 1919 I dare say he had no expectation that he would ever enter public life again. He went back to Kansas, located in Salina, organized a bank, and became the president of that bank.

In the fall of 1919, Mr. Helvering made a visit to Kansas City, and while there, more or less accidentally, the auditor of a department store in Kansas City whom he knew began to complain about the interpretation of the Treasury Department with reference to the income tax law as having to do with consolidated returns. The department store had a subsidiary or affiliate known as a "building company of some kind." They had contended that they had a right to make a consolidated return to the Treasury, and the Treasury had denied them the right to make the consolidated return. Knowing that Mr. Helvering had been a member of the Ways and Means Committee, and that he had helped to write the income-tax law of 1917, the auditor of the department store began to berate the Treasury and to berate Mr. Helvering because they had been denied the right to make a consolidated return.

In the conversation Mr. Helvering took the position that the Treasury was wrong about it; that the department store was entitled to make a consolidated return; and he said, "When I am in Washington again" or "if I go back there again" or "if you want me to look into it for you I would be glad to do it, because I think the Treasury is wrong." As the result of that conversation Mr. Helvering did take up the matter with the Treasury Department and convinced them that they were in error, and they allowed this concern to make a consolidated return, which reduced the tax which they were to pay for that year.

Mr. HATFIELD. Mr. President, may I ask the Senator from Kentucky what year that was?

Mr. BARKLEY. The conversation was in the fall of 1919. I think the tax of the previous year was involved. However, that is not material. The conversation in Kansas City occurred in the fall of 1919, months after Mr. Helvering had retired from Congress and had gone back to Kansas and had become president of the bank at Salina.

From time to time business was brought to Mr. Helvering, because, I suppose, of the publicity given his success in that particular case. Be that as it may, there was a firm of accountants out in Kansas known as "Washington, Henry & Co." Up to this time Mr. Helvering had never known anything about Washington or heard of him, so far as I know. He said he did not know him, but he had known Mr. Henry for a number of years. Washington and Henry had been internal-revenue agents out in Kansas, one of them having been appointed deputy collector and then promoted to the position of internal-revenue agent, which, I believe, is a Civil Service appointment. One of them remained in the service for a couple of years, and the other remained probably a little longer; but they resigned from the Treasury Department, not at the same time, not by collusion. Bear in mind that when this case first appeared before the Finance Committee an effort was made to show that almost simultaneously with the retirement of Mr. Helvering from the House of Representatives on the 4th of March 1919 these two internal-revenue agents had resigned and that the three of them, acting in collusion, had gone into partnership to use their experience and their information in order to obtain tax cases before the Treasury Department of the United States.

Mr. HASTINGS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Delaware?

Mr. BARKLEY. I yield for a question.

Mr. HASTINGS. Who made that intimation to the committee?

Mr. BARKLEY. My recollection is that the Senator from Delaware and the Senator from Michigan [Mr. COUZENS] did so in their questions.

Mr. HASTINGS. I am equally sure that I did not.

Mr. BARKLEY. The Senator did not make any direct charge of that sort, but from the questions he propounded to Mr. Helvering as to when he retired from Congress and when the revenue agents retired from the Department, that was the only inference that could be drawn. The facts are that one of the men retired long before Mr. Helvering was defeated in the election of 1918, and he did not even know him at the time he retired. He did not even know him when he came to Washington to represent the department store in the matter of the consolidated return.

Anyhow, these two men formed a partnership in Kansas. They had an office in Wichita and one in Kansas City, I believe. I think the man named "Henry" operated the office at Wichita and the man named "Washington" operated the office in Kansas City, although I may be mistaken as to that. It does not make any particular difference.

Business began to come to Mr. Helvering, and he established an office in Washington, D.C., I think in December 1919, after he had retired from Congress on the 4th of March previous. The firm of Washington, Henry & Co., as tax accountants, with offices in Wichita and Kansas City, sent Mr. Helvering some business. They sent him a number of cases, although he testified that the business which was sent to him was a small proportion of the business that came to him while he maintained an office here in Washington. He testified that business came to him from Oklahoma. The question of depletion and discovery with reference to oil wells became involved in tax matters after the act of 1917, and he testified that a case came to him from Oklahoma involving the question of depletion and discovery, which is a rather technical subject with reference to taxation under the income tax law. Mr. Helvering came to Washington to represent an oil company, in which case the question of deductions on account of depletion and discovery wells was involved. He won that case before the Treasury Department, and as a result other cases came to him from oil companies.

The Senator from Delaware [Mr. HASTINGS] had a lot to say about an oil company called the "Trapshooters Oil Co.", and a case involving the Slim Jim Oil & Gas Co. I do not know anything about how the people of Kansas and Oklahoma select the names of their oil companies. Naturally the name "Slim Jim" would carry with it an implication of some kind that ought to be prejudicial. As to the Trapshooters Oil Co.—bear in mind it is not "crapshooters", but it is "trapshooters"—that company was so named because a number of sportsmen were out trapshooting in a certain section of Kansas and they rather incidentally and perhaps as a matter of sportsmanship bought up a lease on some land and decided to drill a well on it and call it the "Trapshooters Oil & Gas Co."

Mr. HASTINGS. Mr. President, the Senator from Kentucky does not hold me responsible for the particular names that were selected for these oil companies, does he?

Mr. BARKLEY. No; I do not. I think if the Senator had had anything to do with choosing the names, the names would have been even worse. [Laughter.]

Mr. LONG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. LONG. I was very much disappointed to find that the name was "Trapshooters." I was hopeful that it was a more honorable name and one better understood in the Senate.

Mr. BARKLEY. The name is not "Craps shooters." The mind of the Senator from Louisiana is on an entirely different matter from the one which I have in mind and am discussing. [Laughter.]

At any rate, the one company was called the "Trapshooters Oil Co.", and the other one was called the "Slim Jim Oil & Gas Co." The questions involved in those two cases were entirely different. The Senator from Delaware has undertaken to pursue the *Trapshooters* case and the *Slim Jim* case to such an extent that I am sure he would be able to qualify as "Hawkshaw the detective" in any comic strip in any newspaper in the United States of America.

What are the facts about the *Trapshooters* case? I want to mention that case first. The *Trapshooters* Oil Co., as they finally went on with it, drilled a well in Kansas on this tract of land that they had gathered together. It was a discovery well. When it came in it was what was known as a "gusher." I think the testimony shows that it was the largest single oil well ever brought in in Kansas. I may be mistaken as to that, but I think that is correct. It was such a large well and so unexpectedly large that they had no facilities whatever for taking care of the oil. They had to form pools out of dirt. They gathered the oil together in ponds and in pools and by damming it up with mud and dirt, but before they could make any connections or bring in any facilities whatever for taking care of the oil they tried to cap the well, and in doing so brought salt water into it to such an extent that it was of practically no value whatever. They finally sold the entire property for \$50,000.

It is perfectly easy to explain this nightmare that has been brought in here with reference to the *Trapshooters* Oil Co. They brought in one well which, if it had been maintained, or if other wells of its like had been brought in, would have made these men millionaires over and over again; but while they were trying in an emergency to provide some method of taking care of the oil it went into salt water, and all they got out of it was the oil they had been able to gather in their haste by building these earthen pools, or whatever it was they used to save the oil that was running out of the well. Finally, as I have said, they sold the entire property for \$50,000.

They knew there would be some taxes levied against them by the Federal Government probably, and they set aside more than half of what they got for the property to meet any taxes that might be assessed. They set aside \$25,817 and some cents. I do not know how they arrived at that amount, but that is what they laid aside. They earmarked it and put it away to meet any tax that might be levied against them.

This firm of Washington, Henry & Co. sent this case to Mr. Helvering. Whether they brought it up here at first, or whether they sent it by mail, I do not know. There is some controversy about whether they first saw him in the Washington Hotel here or whether they saw him in the office of the company down at Wichita.

The Senator from Delaware produced this report down here in the Treasury in which a man named "Edgecomb", who was the secretary and treasurer of the company, made an affidavit undertaking to say that Helvering had tried to hold him up for \$10,000 in a room down here in the Washington Hotel, claiming that he had to employ an engineer in New York, in order to boost the fee above what it ordinarily would have been otherwise. That is the whole object of this tirade here on the *Trapshooters* Oil Co. They started out to prove that Mr. Helvering was a crook; and, being unable to do that, now they want to prove that he is a liar. That is all there is to it.

This man said that they came to Washington, and on one Sunday morning they met here in the Hotel Washington. There was a \$152,000 tax assessed against this company, which is not a very strange thing in view of the fact that this enormous well had been brought in out there. It would have been a very modest tax if that well had turned out to be worth anything. They had assessed a preliminary tax of \$152,000. They employed Mr. Helvering through the firm of Washington, Henry & Co., who were tax accountants

in Kansas, and some of them evidently came on to Washington to talk to him about it.

This man Edgecomb, who was the secretary of the company, said that in the hotel here the question of Mr. Helvering's fee came up. Helvering told them that it might require a survey. That is what they say. I do not suppose Helvering at that time knew whether the survey would be required or not. It was the rule, in cases of that sort, to require a survey. Mr. Helvering states that he did demand a \$10,000 fee; that he said that if there was a survey to be made \$10,000 would cover his fee and the expenses of an engineer, and that he had an engineer in his own office who did that kind of work for him, and there was no occasion to say anything about a New York engineer; that he had no New York engineer; that he never had any dealings with a New York engineer, and that he did not even know a New York engineer.

Mr. HASTINGS. Mr. President, will the Senator yield?

Mr. BARKLEY. Yes.

Mr. HASTINGS. I wish to inquire of the Senator whether he can point out any place in the record where Mr. Helvering, the first day he was testifying, denied that it was necessary to have an engineer. He stated positively that he told them it was necessary to have an engineer but he had one in his own office.

Mr. BARKLEY. Oh, well, suppose he did. It was a new case that had just come to him. He knew that, as a rule, a man had to have an engineer to go out and make a survey of oil property. Suppose he did say, "It will be necessary to have an engineer"—what of it?

Mr. COUZENS. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. COUZENS. I want to apologize to the Senator from Kentucky for a statement I made just prior to leaving the Senate for my luncheon. I ask now to make it, so that I can go to a meeting of the Banking and Currency Committee.

The Senator referred to a statement I made in the RECORD, I think on May 11; and when I answered the Senator I thought I said "representing the interests." The Senator was correct. I did say "power interests", and "power interests" is in the RECORD. I did not change it; and I apologize to the Senator for contradicting him.

Mr. BARKLEY. I accept the Senator's apology for contradicting me, but I think he ought to apologize to the Senate for making the original statement.

Mr. COUZENS. Would the Senator like me to name them all? The Senator from Kentucky would not want me to name them all, would he?

Mr. BARKLEY. Yes; so far as I am concerned, the Senator can name them. Yes; go on and name them now. The Senator has brought this matter up.

Mr. COUZENS. I beg the Senator's pardon; the Senator from Kentucky brought it up.

Mr. BARKLEY. The Senator from Michigan brought it up a week or 10 days ago. If the Senator wants to name any Senator on this floor who is a tool of the power interests, name him.

Mr. COUZENS. I should not like to do that, because I might make a mistake.

Mr. BARKLEY. The Senator asked me if I wanted him to do it. I say, yes, I should like him to do it.

Mr. COUZENS. I said I might make a mistake.

Mr. BARKLEY. I thought the Senator from Michigan never made a mistake. He said a while ago that he never made any.

Mr. COUZENS. Oh, no; I never said that.

Mr. BARKLEY. The Senator said that he was always correct; that in his estimation of men he was always correct; that he never had made a mistake. [Laughter.]

The PRESIDING OFFICER (Mr. POPE in the chair). The Senate will be in order.

Mr. BARKLEY. Now let us get back to the *Trapshooters* case.

There is a dispute, which I think is totally inconsequential—a misunderstanding, or a lack of memory on the part of somebody—as to what occurred with reference to the fee Mr. Helvering was to receive in the Trapshooters' case.

Mr. Helvering at the time he testified when this report was first brought to his attention said that this had been 14 years ago; that he had many cases at that time, and, of course, he could not remember all the details as to negotiations about a man's fee in a lawsuit. I challenge any lawyer on the floor of the United States Senate to go back 14 years, without having his memory refreshed in some way or other, and give to the Senate or to any committee the details of conversations that occurred between him and his clients by reason of which they arrived at what he would charge as a fee to represent them in any controversy.

The secretary of this company said that the conversation occurred here in Washington; that Mr. Helvering demanded a \$10,000 fee to represent a company against which had been assessed a \$152,000 tax, which I will say was not an unreasonable fee considering the amount involved. Mr. Edgecomb finally proposed to produce what he claimed was a copy of the contract, and said that the contract that was finally entered into was that Helvering agreed to take whatever he might save out of this \$25,000 that had been set aside by the company for taxes when it sold its entire property for \$50,000.

All of their recollections evidently were refreshed by looking at some sort of records or thinking about the matter, because one of the directors of the Trapshooters Co. came on here and testified—his testimony is in the record—that this conversation really occurred out in Kansas, not in Washington, and that the agreement on the fee was entered into in the office of the company in Wichita, Kans.; and that out in Kansas Mr. Helvering insisted on a \$10,000 straight fee to represent a company against which there had been a \$152,000 tax assessed by the Treasury. Well, their gusher well had gone to water. They had nothing. They had sold their entire property for \$50,000. I dare say they could not have paid the \$152,000, or anything like it, if the assessment had been finally determined upon according to those figures. It was testified that finally somebody in the company said, "Well, we do not want to send good money after bad money, and we will enter into this sort of an arrangement with you: We will pay you \$2,500 in cash, and we will give you all above that that you save out of the \$25,000 we have set aside for taxes."

Is there anything crooked about that? How many lawyers are there in this Chamber who, when a client came to them, first demanded a straight fee, but upon discovering that circumstances might justify them in taking a contingent fee instead of a straight fee have not done it? There is not a lawyer in the United States of any general practice who has not had that experience.

Mr. LONG. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. BARKLEY. I do.

Mr. LONG. It was Abraham Lincoln's advice that a lawyer should not take a straight fee; that he should always have a contingent fee.

Mr. BARKLEY. I recall that advice, because in that case the pay would be determined by the success of the lawyer in winning the case. There are thousands and hundreds of thousands of cases in all the courts of this country where, if a lawyer was unwilling to take a contingent fee, honest men would go without representation before courts and juries, because, in order to get into court at all, they are compelled to make a contract with their lawyer that if they win the case the attorney will receive a certain fee, but if they do not win it the attorney gets no fee whatever.

Every lawyer knows that that is true; and yet because, after long negotiations, whether they occurred in Washington or in Kansas, Mr. Helvering was willing to come down from his \$10,000 demand for a fee and accept \$2,500 in cash

and take the rest of it on a contingent basis, we are asked to deny this man confirmation on the part of the United States Senate.

Mr. CLARK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Missouri?

Mr. BARKLEY. I do.

Mr. CLARK. I should like to suggest to the Senator that the record shows that the proposition that was finally entered into was made by Mr. Edgecomb himself as a counter proposition to Helvering's \$10,000 flat fee.

Mr. BARKLEY. Absolutely. If we may admit that whether in Washington or in Kansas Mr. Helvering demanded a \$10,000 fee—and I do not think it makes any difference whether it was in Washington or in Kansas—the counter proposition came from the company to pay him \$2,500 cash, and then allow him whatever he might save out of this \$25,000 that had been set aside for taxes.

Was that an unreasonable fee? Was it an unreasonable agreement between them?

Mr. HATFIELD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from West Virginia?

Mr. BARKLEY. I do.

Mr. HATFIELD. Was that the entire amount that he received?

Mr. BARKLEY. That was the entire amount he received. He got the difference between the \$25,000 and what they finally settled the case for. In other words, he got the \$2,500 as a retainer, and then he received the difference between the \$25,000 and the \$7,000, which turned out to be about \$18,000.

Was it an unreasonable settlement that the Treasury Department made? In order to convict Mr. Helvering of any wrongdoing in that case we will have to convict the Treasury of the United States, because this settlement was made by the officers of the Treasury. Senators know the law with reference to depletion and discovery wells in the matter of assessing income taxes against oil companies; and when the Treasury found that this one well the company had brought in as a gusher had gone into water and that they had sold their entire property for \$50,000, the Treasury reduced the amount of the tax from \$152,000, which they had assessed upon the theory that the property was worth something and that the income tax was due, and agreed to accept \$7,000 as an income tax in lieu of the original amount that they assessed against this company.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK. Does not the record show that since the final settlement of the Trapshooters' case the record has been three times reviewed by the Treasury Department, and in each case it was found that the settlement was for the correct amount?

Mr. BARKLEY. The record shows that that particular case and this other case that so much noise has been made about, the Slim Jim Oil Co. case, have been examined over and over again; and in the report that was made by this man Partridge and this man Ofterdahl, who was appointed by President Hoover collector of internal revenue in California, and withdrawn because of the opposition of the Senator from California [Mr. JOHNSON], as Members of the Senate may recall, he said that there was an investigation of the firm of Washington, Henry & Co., and that in view of the fact that Helvering had represented them in Washington they were trying to find something against Helvering; but after they had investigated they were told by the assistant to Mr. Blair, the Commissioner of Internal Revenue, that these cases had been gone over by men in the Treasury Department who were experts on the subject, and that every one of them had been settled in accordance with the law and regulations.

What about the Slim Jim case? So far as there is anything in the record against Mr. Helvering, it is a "slim-jim" case, indeed.

The Slim Jim Oil Co. was located in Kansas, I believe. There had been an assessment of an additional tax against them of \$1,211,000. They had been trying for 2 years to get an adjustment of that tax. They made no progress; they got nowhere at the Treasury Department. I do not know whether it was because they had an incompetent attorney, or what the reason was; at least, he could not bring about a settlement. They had nobody in Washington representing them. They employed a Kansas firm to represent this company in the matter of adjusting this tax. After a delay of about 2 years, somebody recommended Mr. Helvering. Whether it was Washington, or Henry, or both of them together, makes no difference. At any rate, Mr. Helvering and Mr. Jouett Shouse were recommended to them as attorneys who had been successful in practice before the Bureau of Internal Revenue, and they were told that if they were in their place, they would employ Mr. Helvering to represent them in Washington. They did employ Mr. Helvering, agreed to pay him a fee of \$25,000, and they paid him that fee.

Mr. HASTINGS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HASTINGS. At that time he had had but one case before the Department, the record shows.

Mr. BARKLEY. That is a very important circumstance against Helvering. I suppose he ought to be rejected because up to that time he had had only one case. At any rate, he was employed in this case for a fee of \$25,000.

Mr. Helvering contended what evidently had not been contended by the attorneys who had represented this company previously, that under section 210 of the income tax law of 1917 they were entitled to be considered as other companies engaged in the same business had been considered, and that the Treasury should make a lump-sum settlement of the tax under section 210 of the internal-revenue tax law. Section 210 of the tax law is quite an involved section. I do not pretend that I can explain altogether just what it means, although I voted for it. The section provides:

That if the Secretary of the Treasury is unable in any case satisfactorily to determine the invested capital, the amount of the deduction shall be the sum of (1) an amount equal to the same proportion of the net income of the trade or business received during the taxable year as the proportion which the average deduction (determined in the same manner as provided in section 203, without including the \$3,000 or \$6,000 therein referred to) for the same calendar year of representative corporations, partnerships, and individuals, engaged in a like or similar trade or business.

When Mr. Helvering took over this case for the Slim Jim Oil Co. he contended before the Treasury Department that they were entitled to a settlement under section 210. He went before the Department, he appeared as their attorney, he had conferences with the men in charge of the oil section in the Treasury, he had conferences with their tax committee. On yesterday the Senator from Delaware undertook to make a point against Mr. Helvering because he could not remember how many members there were on the committee in the Treasury Department which had charge of considering a tax of this sort. Whether there were five or ten or a hundred or a thousand makes no difference. Mr. Helvering appeared before them and represented that, under section 210 of the revenue act, this company was entitled to a settlement based upon what might be regarded as a compromise.

Mr. President, we all know that the Treasury Department compromises tax cases every day and every week and every year. That was all Mr. Helvering contended for, that under this section they were entitled to the assessment of a lump sum, based upon the treatment accorded others engaged in the same kind of business and as to which other settlements were being made in the oil division.

They finally agreed to make a settlement under section 210. The memorandum in this record, made by the Deputy Commissioner of Internal Revenue, Mr. Batson, I believe, who was next in authority to Mr. Blair, the Commissioner of Internal Revenue, shows that that case was settled according to Mr. Helvering's contention under section 210.

Mr. Helvering did not know what the amount would be when he persuaded the Treasury Department to settle the case under section 210. He considered that he had won his point, and that it only remained for the Treasury Department to make the calculations as to the amount, and he did not appear any more in the case.

They made their calculations and wrote a letter to the Slim Jim Oil Co., fixing the tax at \$459,000, and the company wrote to Mr. Helvering, their attorney, and said, "That is the amount they have assessed against us, and we are going to pay it." They did pay it, and Helvering dropped out of the case.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK. The Senator will recall that, although the Senator from Delaware had this whole record in his possession, the only member of the committee who had access to it, including the memorandum on review from the auditor of the Treasury Department setting forth that this case had been settled under section 210, the Senator from Delaware was not fair enough to put that into the record, and it remained for Mr. Helvering's counsel to drag it out and put it in the record.

Mr. HASTINGS. Where is it in the record, may I ask?

Mr. CLARK. I cited it to the Senator yesterday.

Mr. BARKLEY. Mr. President, the Senator from Delaware did not put it in, that is all I can say; he did not put it in, and the counsel for Mr. Helvering did put it into the record.

Mr. HATFIELD. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. I yield.

Mr. HATFIELD. Mr. Helvering decided, or at least he came to the conclusion, after he had convinced the Treasury Department that the Treasury Department should settle with this concern under section 210, that he had completed what he started out to accomplish?

Mr. BARKLEY. Absolutely. From that time on it was a matter of calculation down there among the experts as to how much the tax would be. They made that calculation and wrote a letter to the company in Kansas fixing the tax at \$459,000, which was paid, and after Mr. Helvering had convinced them that that was the proper way to make the settlement he left Washington, or he left the Treasury, without any idea of how much the amount would be when it was finally calculated. He did not know how much the tax would be until his clients wrote him a letter and said they had received that notice, and they had decided to pay it.

Mr. HATFIELD. And the original amount of the tax was how much?

Mr. BARKLEY. One million two hundred and eleven thousand dollars. In the meantime there was a change in administration, a new regime came into the Treasury Department, and for whatever reason—I suppose for reasons which they thought were sufficient—they decided to reopen the Slim Jim Oil Co. case. They notified the company that they were going to reopen it and assess an additional amount against them for the tax.

The company approached Mr. Helvering to go on and represent them in that reopening. When he got down into the Treasury and found that, instead of making that settlement under section 210, as he had thought and as he had argued, they had made some readjustment of the income from 1917 back to 1916, because the negotiations for the sale of the property took place in 1916, although the actual documents for the sale were made out in 1917, he came to the conclusion that somebody in the Treasury Department or the accountants who had brought the case to him had not been fair with him, that they had not made the calculation according to his contention, and he refused to have anything more to do with the case, and did not. I contend that instead of using that as evidence of the dishonesty of Guy Helvering, it was to his everlasting credit that he would not have anything more to do with that case, because they had not made the calculation, as he thought, in accordance with

the agreement he had entered into with the Treasury as to the basis upon which they decided the case. Not only that, not only did he have nothing more to do with the Slim Jim Oil Co. case, but he had nothing more to do with the firm of accountants who had sent him the case.

Mr. President, based upon this proceeding and this investigation about the Slim Jim Oil Co. and about the Trapshooters Oil Co., which is the basis of the report the Senator from Delaware sprung on the committee and on Mr. Helvering at our first session, an investigation was made of Henry and Washington to determine whether they had been guilty of any such unethical conduct as to bar them from practice before the Treasury Department. It turned out, as a matter of fact, that they had never been admitted to practice but as accountants they had gone in with their attorneys and, I think, had sat with them in the informal discussions concerning these cases.

As the result of this investigation they recommended that Washington be barred from practice before the Treasury, but that Henry be allowed to be reinstated. As a matter of fact, it turned out that he had never been admitted, as I have said, but he was later admitted to practice before the Department, and, so far as I know, is now a registered practicing accountant before the Bureau of Internal Revenue.

Mr. Helvering had already severed his connection with the firm, because he discovered that Mr. Washington had admitted to him that, in the calculation and in the making of an amended return, with which Helvering had nothing to do, they had not based their calculation upon his agreement. When that matter was first brought to his attention he used the expression that they had tried to "juggle the figures", and when he found that they had tried to juggle the figures, as he thought then, he refused to have anything more to do with the case, and never from that day on accepted another case from Washington, Henry & Co. I say that is to his credit rather than to his discredit. That is absolutely all there is in these two cases.

How much time have I, Mr. President?

The PRESIDING OFFICER. The Senator has about 18 minutes left.

Mr. BARKLEY. Mr. President, something has been said here about Mr. Helvering's conduct as chairman of the Democratic committee, and as director of highways of the State of Kansas. Senators will all remember that 2 years ago Mr. Woodring was elected Governor of the State of Kansas. It is not necessary to go into the circumstances of that election. He was elected and became Governor, and as such, he appointed a highway commission, and that highway commission named Mr. Helvering as the director of highways of Kansas. The uncontroverted testimony in this record, not only of Democrats but of Republicans, is that during Mr. Helvering's 2 years as director of highways more roads were built in Kansas in proportion to the amount of money spent than in any other State in the American Union.

Mr. Helvering was also chairman of the Democratic State committee. There was a man named Scott who was treasurer of that committee, and after the campaign of 1930 there was a deficit of about \$12,000 in the party treasury. Mr. Helvering, as State chairman, wrote letters to the various counties asking for contributions to take up that \$12,000 deficit. He wrote to some chairmen who wrote back to him that they had already paid their share, and they produced the checks which they had sent to Mr. Scott, the treasurer, which had been cashed by him and had been canceled, but the amounts represented by them never turned in to the State committee.

As a result, Mr. Helvering fired the treasurer of the Democratic committee, and he took that matter before the State committee, and he was upheld unanimously at the State convention. They had no treasurer then, and Mr. Woodring's campaign was over and there were to be no activities particularly until another campaign should come on, so Mr. Helvering had charge of the committee, and he collected enough money to pay off this deficit, and they fired this

defaulting treasurer from the committee, who, by the way, wrote a letter against Mr. Helvering. This man Scott writes a letter to the Senator from Delaware, which the Senator puts in the RECORD, opposing confirmation of Guy T. Helvering, when it turns out that the thing he has against Mr. Helvering is that Helvering fired him because he was crooked and because he did not turn over to the State committee the money he had collected as treasurer of that committee.

Later on last fall, in August, under the law of Kansas they had what they call a party council, made up of all the candidates, those for Governor, for all State offices, for the legislature in both branches, for Congress, for United States Senator, and for county offices, composed altogether of about 290 or 300 men. They held their party council in Topeka; they unanimously endorsed what Mr. Helvering had done to select a new treasurer. Although the man Scott, who makes the charge against him, was there and made complaint against Helvering in the committee, they unanimously sustained Mr. Helvering in all that he had done about it.

Complaint is made because while Mr. Helvering was State chairman contributions were taken up from State employees to help pay the expenses of the campaign. I do not know to what extent that custom prevails in other States, but there is a very general feeling, I think, among Democrats and Republicans alike, that men who are given lucrative positions ought to make some contributions to pay the expenses of the campaign. I do not know whether that is a violation of any man's lofty convictions with reference to political ethics, but I dare say there is not a State in the American Union where men who hold office under an administration do not make contributions to the campaign fund of their party to win the election whenever an election is being held.

Mr. Helvering, as chairman of the State committee, conducted the campaign of 1932. The committee decided to ask contributions of State employees. The testimony here is to the effect that more than half of them made no contributions at all, and not a single man who made no contribution has been "fired" from his position as a result.

The head of every institution, the head of every department, was asked to take up these contributions, and the undisputed testimony here is that last year they raised in Kansas \$69,000 to conduct a campaign involving Members of Congress, United States Senators, governor, members of the legislature, Presidential electors, and county officers—\$69,000. And that the amount paid into the campaign fund, instead of being 5 percent or 10 percent, as the Senator from Delaware contends, amounted to an average of 1.9 percent of 2 years' salary, which if computed on the basis of an annual contribution would amount to nine tenths of 1 percent of a year's salary. Because of that we are now asked to reject Mr. Helvering's nomination.

It is said there was no accounting made of the campaign fund. The Senator from Delaware this morning said that there was no accounting made by Mr. Helvering of the amount of money that he had received. I know that either before the full Finance Committee or the subcommittee, I read a statement from the chairman, which was supposed to have gone into the record. I do not know whether it is there or not, but I have it here. The Senator from Delaware was present and heard me read it. Here is a telegram which I read to the full committee in the presence of the Senator from Delaware. It was supposed to become a part of the record, and it was returned to me by the reporter after it had been used for the record. Whether or not it appears in the record I do not know; I have not had an opportunity to look at the record; but here it is:

[Telegram]

TOPEKA, KANS., May 16, 1933.

Hon. ALBEN W. BARKLEY,

United States Senator.

At the official Democratic State council, held at Topeka, Kans., August 30, 1932, Elmer Scott, former treasurer of Democratic State committee, presented charges against Chairman Guy T. Helvering concerning the handling of State committee finances. Helvering presented to the council an audit of the books of the State

committee by State account. After discussion of charges made the party council unanimously adopted the following resolution, offered by Frank Hodges, of Olathe:

"Resolved, That the Democratic Party council, assembled at Topeka, Kans., as provided by law, approved and adopted the audit and report submitted by Guy T. Helvering, and that the council give Mr. Helvering a vote of thanks for his efficient and unselfish service."

Following the adoption of this report Mr. Helvering was reelected chairman of the State committee without a dissenting vote.

HETTICK.

Secretary Democratic Party Council.

And yet, in spite of that, the Senator from Delaware undertakes to leave the impression here that there was no accounting of the funds collected by Mr. Helvering in that State.

Mr. HASTINGS. Mr. President, may I inquire does the Senator from Kentucky call what he has read an accounting?

Mr. BARKLEY. Do I call that an accounting? Of course I do not call that an accounting; but I cite it as evidence of the fact that there was an accounting made before the only committee where it had a right to be made. The Senator from Delaware certainly does not expect that Mr. Helvering would account to him for his conduct in looking after the finances of the Kansas Democracy.

Mr. HASTINGS. The Senator this morning said, in reference to something I said, that the report of the audit was in the record. That is what I was referring to.

Mr. BARKLEY. I did not say that. I said testimony was here showing that an audit was made. That is what I said.

In addition to that, there is a statement here by a member of the Democratic committee showing in great detail, which I have not time to read, that Mr. Helvering made an itemized statement to the committee of every dollar he had received and where it had gone, which was unanimously adopted, and Mr. Helvering was thanked for his efficiency in connection with the matter.

Mr. President, just one other thing with reference to the effort that has been made here to convict Mr. Helvering of having sold post offices out in Kansas. They have gone all over Kansas to pick up everybody who had any enmity against Mr. Helvering, and I have no doubt there are many there who have had enmity against him, because Senators may recall that the Governor of Kansas a year or two ago instituted proceedings against Henry L. Doherty and the Cities Service Co. and compelled them to reduce their gas charges in the cities of Kansas, and that Mr. Guy Helvering was one of the active spirits behind that movement on the part of the Governor of the State. It may be recalled that Henry L. Doherty bought a newspaper in Kansas City—the Kansas City Journal—with which to fight Governor Woodring and Helvering; and it has been largely due to the malice of this outfit in Kansas that every disappointed applicant for a post office, that every sorehead, that everyone who was not employed by the highway commission has been willing to fill this record with denunciatory letters impugning the motives and impeaching the character and reputation of Mr. Helvering. I have no desire to enter into any factional controversy which may exist in the State of Kansas, but it is well for the Members of the Senate to know something about the motive that is behind this organized effort to destroy a man because they have not been able to control him.

Now, what are the facts? They brought here a man named Lamb, who had been appointed as acting postmaster in Manhattan, Kans., on the recommendation of Mr. Helvering while he was in the House of Representatives and while he was the referee, as we understand the term here, of the Post Office Department with reference to postmaster-ships. From time immemorial it has been customary for the Post Office Department to accept the recommendation of the Members of Congress of the same political faith as the administration in power for post-office appointments in their districts. It is not an invariable rule that the persons thus recommended are appointed, but the recommendations are persuasive, because Members of Congress are supposed to know more about the men and women in their districts than any Postmaster General could possibly know.

While Mr. Helvering was still a Member of Congress, it seems that he recommended the appointment of a man by the name of Lamb as postmaster of Manhattan, Kans. The nomination was not confirmed because there was at that time, as will be recalled, after the election in 1918 a majority of Republicans in the Senate, and they refused to confirm any nominations sent in by Woodrow Wilson at the short session of Congress in 1918. As the result this man's nomination was not confirmed. In the meantime Mr. Helvering went out of Congress, and the question of Lamb's further appointment came up while Mr. Helvering was not any longer in Congress and had nothing more to do with it. There was some correspondence with reference to this appointment between him and another member of the Kansas delegation, who, I think, at that time was the only Democrat from that State. The outcome of it was that Lamb was appointed for the 4-year term, and he served out his unexpired term as postmaster in Manhattan, Kans.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK. The Senator will recall, as evidence of the character of Mr. Lamb, the star witness of the Senator from Delaware, that Mr. Lamb on cross-examination was asked if he had ever had any trouble with Mr. Helvering, and he replied that he had never exactly had trouble but had had some misunderstanding with him. Being pressed further as to the misunderstanding he had had with Mr. Helvering he testified that his first acquaintance with Mr. Helvering was in 1914, when he went to see Mr. Helvering to try to borrow \$1,200 from him, although he had never before met him, for the purpose of starting a newspaper, and that when Mr. Helvering refused to loan it to him he proceeded to get mad with Mr. Helvering because the latter did not want to be "shaken down" for \$1,200 by an entire stranger.

Mr. BARKLEY. That is the type of denunciations that have been brought here to destroy this man's character. They dug up in the Post Office Department a letter written, it is claimed, by this man Lamb in which he referred to a letter from or conversations with a man named Cassell, who is alleged to have said that in order to get the permanent appointment Lamb would have to put up a thousand dollars. Based upon that letter there was an investigation made by a post-office inspector. The post-office inspector went to Cassell, took his affidavit, and filed it in the Department. In that affidavit Cassell absolutely denied that any such conversations had occurred or any such letter had ever been written, and that reply and that affidavit of the man upon whom this investigation was based has disappeared from the records of the Post Office Department. In view of that fact I say it was entirely proper to bring Mr. Cassell himself here to testify under oath before the Finance Committee.

When he did so he said he never had any such conversation and never made any such representation; that when he found out that this man Lamb had made an affidavit claiming that he ever did that he denounced him to his face and called him a "dirty sucker"; and that he never had spoken to him from that day to this. That is the kind of testimony upon which we are asked to condemn Mr. Helvering, and those are the tactics that have been resorted to here.

The Senator from Delaware has been busy in exploiting the letter of Lamb and the affidavit of Lamb charging Helvering with some sort of misconduct in the distribution of post offices, but he has deliberately refused to refer from the very beginning until this hour to the testimony of Cassell, who denies it, and says that his affidavit was filed in the Post Office Department, an affidavit that we have been unable to find and to which the Senator from Delaware has never even referred.

Mr. HASTINGS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Delaware?

Mr. BARKLEY. I yield.

Mr. HASTINGS. I distinctly stated in the minority report and I again stated to the Senate that Cassell denied the allegation. I want to ask the Senator this question: He

saw a copy of the letter which Lamb wrote to the Post Office Department, and I want to know whether, as a member of the committee, he does not agree or would not have agreed if he had been asked that it was important enough to bring this witness to Washington in view of that letter?

Mr. BARKLEY. That is exactly what I started to do until the Senator stopped me, as I indicated in the early part of my remarks. Of course, the letter filed in the Post Office Department was of sufficient seriousness to justify the Department in making an investigation; but what I complain of is that the Senator from Delaware has either suppressed or not referred to any evidence in behalf of Mr. Helvering that was adduced in that investigation to show that he was entirely innocent of the charge made against him by Lamb and the testimony given by Mr. Cassel in the Post Office Department and given before the committee.

Mr. HASTINGS. I have just said that it will be found in the minority report, and that I stated to the Senate that when Cassel came before the committee he definitely and positively denied anything of the kind.

Mr. BARKLEY. I have listened to the Senator very carefully, and I have not heard him refer in his remarks to the denial made by Mr. Cassel of every statement made by Lamb upon which investigation was based and conducted.

Mr. President, of course there has been all sorts of gossip about the way Mr. Helvering conducted the highway department. Reference has been made to the fact that the legislature authorized an investigation of the Highway Department of Kansas. That was given here as a reason why we ought not to confirm him. The Legislature of Kansas that convened in January 1931 did adopt a resolution to investigate that department. It was a Republican legislature. The previous administration had been Republican. The legislature adopted a resolution providing for an investigation of the highway department under Governor Woodring's predecessor. Governor Woodring vetoed the resolution on the ground that it was a useless expenditure, and then by executive order he directed that an audit be made of the Highway Department of Kansas.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. BARKLEY. I ask unanimous consent that I may use now 5 minutes of the time which will be awarded to me by the Senator from Delaware.

The PRESIDING OFFICER. Without objection, permission is granted.

Mr. BARKLEY. It is agreed that I shall have the closing of the argument, and I will take 5 minutes of that time now.

Mr. President, the session of the Kansas Legislature has just adjourned. A week or two ago it adopted a resolution to investigate the highway department regardless of politics. That is a resolution which seems to be customary and entirely proper in the Legislature of Kansas, providing for a general audit. That is what it amounts to. That audit is in process of being made now. Certainly it is no evidence against Mr. Helvering because the legislature has adopted a resolution to audit all the funds of the highway department under all administrations since the highway department was established in the State of Kansas.

There is not a thing in the record, there is not an insinuation that has been borne out by proof, there is not an innuendo that has not fallen of its own weight, there is not a reason nor an excuse that can be offered against the confirmation of this man to the position for which he has been selected by the President of the United States. Whether the President might have found an abler man, a man better qualified for the position, is not for me to say. Whether the people of my State could have found a better Senator to send here in my place, whether the people of Delaware could have found a better man to send here than the present senior Senator from Delaware [Mr. HASTINGS], whether all of the States might not find better representatives for this body than we are, is a matter about which many people will have honest differences of opinion.

But, Mr. President, we need not speculate about what the President might have done under some different circumstances. He has nominated an honorable, an able, a conscientious, an honest man; and I sincerely hope that Senators on their oaths, on their consciences, without regard to politics, will give this man justice, will deal fairly by him, as he has a right to ask that we deal by him and as we would want to be dealt by if we were in his position under the same circumstances that have been presented here.

Mr. WALSH. Mr. President, as a member of the Finance Committee, in an executive session of that committee I moved that the President be requested to withdraw the nomination of Mr. Helvering. That motion was rejected by the committee. Later the question of confirmation was voted upon by the committee, and I voted against the confirmation of the nominee. My constituents have a right to know my reasons for my action in the Committee on Finance and for my vote in the Senate.

With much that has been said in connection with this case I am not in sympathy. Some of the charges are in my opinion baseless. Some of the allegations have been exaggerated. I have reached my conclusion after giving the most conscientious consideration to the whole case of which I am capable. I do not mind saying to my colleagues that the one thought that dominated me during the whole hearing was this: If a Republican President had submitted this nomination, what course would I take? Again and again I reached the conclusion that I would unhesitatingly and militantly oppose confirmation. I do not feel that I can take any other course because it so happens that the nomination is made by one whom I am most desirous of serving loyally.

Mr. President, we have before us the question of the confirmation of the President's appointee for the office of Commissioner of Internal Revenue. This position in importance is second only to that of the Secretary of the Treasury as far as the fiscal operations of our Government are concerned.

The Commissioner of Internal Revenue is in direct charge and control of the collection of all of our Federal revenues except customs. Through the agents he appoints, he deals directly with every American taxpayer. The discipline, ethics, and standard of efficiency of thousands of employees are influenced by his leadership. I submit that whatever the standards should be with respect to the past business conduct and associations of ordinary Government officials, the highest standard should be required in the case of a man who is to handle several billion dollars of taxes annually. I submit that whatever other qualifications for this position may be required, the highest integrity and an unblemished record are of first importance.

The record of this nominee has been the subject of searching inquiry by the Senate Finance Committee. This inquiry assumed special importance because of the fact that some of the charges brought against him dealt directly with the Bureau of the Government which it is now proposed he is to head.

It is not my purpose to take the time of the Senate to rehearse these charges. They are set forth in the record of the hearings which are on the desk of every Senator, and they have been discussed already at length in this Chamber. It is no more than fair to observe that, as inevitably happens in such cases, the charges are disputed, the facts contradicted, and the appointee warmly defended by his friends.

We are not called upon here today to sit in trial upon Mr. Helvering. It is true that the confirmation of his appointment at our hands may be taken to be our finding that the charges are baseless for, assuredly, if we had a contrary view of the matter, the confirmation of his appointment would be unthinkable. On the other hand, I recognize that if we refuse confirmation, it may be said that we have, in effect, sustained the charges which have been preferred against him and of which he protests his entire innocence. This aspect is always troublesome and embarrassing.

Our first and paramount duty, however, is to shape our course in the public interest. Will the public good be served

by placing in office at the head of the Bureau of Internal Revenue a man whose dealings with the Bureau have been challenged and concerning which suspicions have been created which will persist irrespective of what we do?

I have considered carefully all of the evidence pro and con adduced at the hearings. Inevitably it creates doubts. How, I inquire, should these doubts be resolved except on the side of the public interest? I had hoped that the nomination might be withdrawn, but since this has not been done, every Member of the Senate has a responsibility which he cannot shirk. I am prepared to assume mine even if I stand alone.

The confirmation of a Presidential appointee is no empty ceremony. The constitutional purpose of requiring senatorial confirmation was to put squarely upon the Members of the Senate the responsibility for the character of the men who, in appointive offices, are to operate our Government. Mindful of this responsibility, and with great personal regret, I feel constrained to vote against the confirmation of Mr. Helvering. Had this nomination been made by a Republican President, I would not have the slightest hesitancy in voting against confirmation. I cannot permit my most earnest desire to support the President to lead me to reverse my judgment.

Mr. HASTINGS. Mr. President, it is always a matter of great concern to me to have one of my colleagues charge me with unfair conduct or to have one say anything about me that reflects upon me personally. As I sat here and heard the Senator from Missouri [Mr. CLARK] and the Senator from Kentucky [Mr. BARKLEY] defend this nomination I wondered how it was possible for anybody to get any other impression than that I am the person on trial in this matter. The Senator from Missouri, in a rather sarcastic vein, referred to me as "the distinguished former judge of the police court of the city of Wilmington." I want to say to him now, if he intended that as a reflection upon me, that in all my career as a public servant that job stands out as the one of which I am the most proud, because it gave me the greatest possible opportunity to deal with people who needed help. I took the appointment at the request of my colleague who was Governor of the State at that time and because he believed I could do a good job. Prior to that time, and when I was 34 years of age, I had been made a judge of the highest court of my State for a period of 12 years. In my judgment, I could very well afford to take the judgeship of the police court without it doing any injury to me in the future. I hope it will not do me any harm here, even with the Senator from Missouri.

The Senator referred to Mr. Lucas, who was Commissioner of Internal Revenue, and referred to that twice today as being one of the jobs for which I was responsible. I had nothing to do with it. I was not in the Senate at the time. I was not consulted, and did not know Lucas until long after he was named for that particular position.

The Senator from Kentucky [Mr. BARKLEY] made a statement with respect to this matter, and such a statement that it aroused the Senator from Arkansas [Mr. ROBINSON] to comment upon it. What was it?

In the committee, when it was decided that a subcommittee should be appointed, we were given a period of 7 days in which to make an examination and report back to the full committee. The Senator from Kentucky is wrong in saying that he hunted up these witnesses. I went to Mr. Irey, the man who I understood had this report, and who was an investigator, and I asked Mr. Irey to find those witnesses. The particular witness that I was trying to get before the committee was Henry, because Henry made a statement directly opposed to that which Helvering had made to the committee; namely, that that firm had a definite agreement with Helvering about their fees, while Helvering gave the committee the impression that he got straight fees, and then this auditing firm rendered reports to him as to the amount of expenses for auditing, and so forth. So from my point of view it was important to call that one witness in order to clear up that point; and I pointed out to the

Senator from Kentucky where Henry had testified to this. I gave him the report. I gave him, at his request, all the reports I had, and pointed out to him where he could get this information. He took the report, took it to Mr. Helvering, and Helvering came back and admitted that what Henry said was true, and that he was mistaken when he said there was no such agreement.

Edgecomb was in California; and my recollection is that this was about Thursday of that week, and we had to make a report by the following Tuesday, and I did not suppose it was possible to get Edgecomb here in time to testify before the committee. But may I inquire of the Senator from Kentucky how it happens that it is my responsibility to find out about these witnesses instead of his, when he is the chairman of the committee?

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HASTINGS. I yield.

Mr. BARKLEY. The Senator from Delaware was acting in the capacity of prosecuting attorney in this case; and at the moment when I was preparing to have these men summoned to Washington, as I said a while ago, the Senator came over on this side and advised me that it would not be necessary under the circumstances, and we abandoned the idea. What I complained of a while ago was that when we got into the full committee, after that, the Senator complained of the Senator from Virginia [Mr. BYRD] and myself because we had not summoned these witnesses.

Mr. HASTINGS. Here is the report; and I ask any fair Senator here to read it and see whether the Senator from Kentucky is justified in his criticism of my conduct.

Mr. BARKLEY. I will say that the committee felt so, and that the Senator from Virginia [Mr. BYRD], who was my colleague on the committee, felt so, and other members of the committee felt so after the Senator from Delaware had read that to them.

Mr. HASTINGS. Well, whatever the Senator from Kentucky felt about it, when he said something about it before the committee I distinctly stated that it was not my purpose to criticize my colleagues upon the committee; but here is what happened:

Mr. Helvering came before the subcommittee and made another statement, and he made statements wholly different from that which he made to the committee before. Thereupon it became necessary to get these other witnesses—Washington and all the rest of them—and I am not certain it was not the Senator from Kentucky who then moved that this nomination be approved without an opportunity, even that late, to get Edgecomb and these other witnesses here.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HASTINGS. Yes.

Mr. BARKLEY. As chairman of the subcommittee, I made the report of the subcommittee to the full committee recommending that a favorable report be made on Mr. Helvering. After a discussion of the matter further, and after the Senator from Delaware had, by innuendo at least, criticized us for not bringing these witnesses, we voted unanimously to bring them.

Mr. HASTINGS. The Senator from Kentucky has constantly asserted that I brought forth suddenly these reports from the Treasury Department and confronted Mr. Helvering with them. What actually happened was this: I went before the committee with these reports, and I read to the committee the reports; and it was suggested that Helvering ought to be in there, and he ought to be heard. I insisted, then, that we ought to appoint a subcommittee to consider this matter, that it ought not to be done offhand; so that the Senator from Kentucky and the Senator from Missouri and all other Senators were fully aware of what was in those reports, or at least the important parts that I read to them. It was the committee that called in Mr. Helvering. It was the committee that directed that I proceed to examine him, and I did examine him; and now the Senator from Kentucky complains of me because, in my examination of Mr. Helvering, I appeared, as he puts it, as a prosecuting attorney.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Delaware further yield to the Senator from Kentucky?

Mr. HASTINGS. I yield.

Mr. BARKLEY. I agree that it is true that the Senator, before the full committee, started in reading this report without Mr. Helvering's presence—a report that he had never seen or heard of, whose existence he knew nothing about—and some of us did insist that, as a matter of fairness to Mr. Helvering, he should be called in, in order that he might hear whatever complaint or criticism the Senator might have to make against him; and that was done.

Mr. HASTINGS. I distinctly stated to the committee that what I was doing was wholly preliminary. I have always insisted that, whenever we were making a record of it, Helvering ought to be present.

No; here is what happened:

The Senator from Missouri and the Senator from Kentucky are taking the course that is usually taken when a man has no case. The truth is that these charges cannot be answered; and it is undertaken to answer them by abuse of counsel on the other side, as the saying is. It is undertaken to answer them by having attention directed to the Senator from Delaware in an effort to make the country believe that a fair chance was not given this man to defend himself before the committee.

So far as I know, not a single witness was brought before the committee that I did not request to come there. The Senator from Missouri and the Senator from Kentucky both say that Lamb was the chief witness of the Senator from Delaware; that Lamb was his prize witness. I had no prize witness at all. I called the witnesses that the record indicated ought to be called before a committee that was anxious to find the truth. That is what I did. I called them, and I called them before the committee without ever having seen them. I called Cassell, and I called Pratt, and all the others, and examined them without ever having seen them. But what happened on the other side?

When Washington came here, where did he go? He went to the Washington Hotel, where Helvering was; and it was Helvering who went over with the committee these various matters that were put before them.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HASTINGS. I yield.

Mr. BARKLEY. The evidence shows that after the Senator himself had cross-examined, or had sought to tangle up Mr. Helvering as to his recollection about his fees in 2 or 3 cases, he tried in every way to find whether he had any records. He talked to everybody who had anything to do with him in connection with these two cases. He tried to locate Mr. Washington by long-distance telephone to find whether he had any records that would shed any light on the matter. He never was able to find Mr. Washington over the telephone; but Mr. Washington learned that he had been looking for him, or had been inquiring about him, and went to Mr. Helvering's room of his own accord, and without any request from Mr. Helvering.

Mr. HASTINGS. Mr. President, I do not care to reply to the Senator. He has used expressions about me and about these reports to the effect that I "pulled" them on the nominee, indicating that I was doing something that was not fair, and has said other things with respect to this testimony; and in the *Trapshooters* case, if you please, he does what? He says that in the *Trapshooters* case no injustice was done the Government!

I never charged that any injustice was done the Government. I said definitely and distinctly yesterday that I would have no particular charge against Helvering with respect to the *Slim Jim* Co. case if he had stuck to one story the first day and the second day and the other days that he appeared before the committee. But what did he do? He gave to the chairman of the committee the distinct impression that the *Slim Jim* Co. case was settled by him for an amount of \$459,000, some \$800,000 less than the amount that had been fixed, because a fraud had been practiced upon him by his friend Washington with associates of that company—that is what he told the chairman of the committee, and that is

what he told the full committee—and they did it by padding the returns. He said it more than once. He said it twice.

In the next place, he came before the subcommittee, and what did he say there? He said not what the Senator from Kentucky says he said, but he said there not only that this case was settled by him under section 210 but he gave the distinct impression that it was fully settled under section 210; and he left the impression with the committee that the final amount of money paid in that settlement of \$459,000 was under section 210. It was only afterward, when I was prodding him about his statement that these men padded the books, that he said that 2 years later he went before the department, and there he discovered for the first time that they had not settled the case under section 210. It is his contradictory statements all through with respect to the *Slim Jim* case that in my judgment make this nominee unfit for this position; and with respect to the *Trapshooters Oil Co. case*, in my judgment, the evidence shows complete fraud on his part with a client.

Here is a lawyer who had been practicing law for some time and had a high education. He practiced law up until 1912. He served in the Congress for 6 years; and then, when his client came to him, what did he tell him? He said, "We made a contract in Kansas which we cannot live up to because it is necessary to have a New York engineer and we will have to pay him \$10,000." Talk about his forgetting it! He went into details as to why it was necessary to have an engineer. In answer to my question whether any physical examination was made, he stated positively that a physical examination was made. All of that is what he said about that case, when he knew at that time, and he knew when he testified here, that no physical examination was made, no engineer was employed, and that they got the sum of \$18,000 instead of the sum of \$10,000 that he says was originally paid to him in that case.

That is the kind of testimony that you are asked to believe here with a man appointed to a position like this.

So far as I am concerned, I do not care anything about this case. As I said yesterday in response to the Senator from Missouri [Mr. CLARK], who said that I was against Mr. Helvering because he was the chairman of the Democratic State committee, I never knew that Mr. Helvering was chairman of the Democratic State committee until I heard the statement made by him while he was before the committee. I assumed that he was a Democrat. I have no complaint to make about that. I assumed that this administration wanted a man in that place in whom they had confidence. As I view this record, however, I doubt very much whether the President, if he could look at the matter again, could believe positively that he could have such confidence in this man as would warrant him in placing him in that position if he had it to do again.

Oh, yes; the Senator charges me, and he even charges the Senator from Michigan [Mr. COUZENS], with being prejudiced in this case. Of course, I knew he would charge me with political prejudice; but they have already said that they did not charge the Senator from Michigan with political prejudice. Well, what kind of prejudice do you charge us with? You know we have done nothing more than it is our duty to do as members of the committee and Members of the Senate. That is all I have sought to do. You are entitled to have a Democrat appointed; but, for God's sake, go and get one in whom the people of this country will have confidence, and do not force this man upon the Senate and upon the Nation.

That is what I ask you, as the majority party, to do; and I warn you that if you do not do it, this man's record shows that probably you will be sorry, too, in the years to come.

Mr. BARKLEY. Mr. President, in view of the fact that the last speech of the Senator from Delaware was a reiteration of his first speech, and that there is nothing new in it to which there is any necessity for making a reply, I have no further remarks to make.

I make the point of no quorum, in order that we may have a full vote when the roll is called.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Copeland	La Follette	Robinson, Ind.
Ashurst	Couzens	Lewis	Russell
Austin	Cutting	Logan	Schall
Bachman	Dale	Loneragan	Sheppard
Bankhead	Dickinson	Long	Shipstead
Barkley	Dill	McAdoo	Stelwer
Black	Duffy	McCarran	Thomas, Okla.
Bone	Erickson	McGill	Thomas, Utah
Borah	Fletcher	McKellar	Thompson
Bratton	Frazier	McNary	Townsend
Brown	George	Metcalf	Trammell
Bulkley	Goldsborough	Murphy	Tydings
Bulow	Gore	Neely	Vandenberg
Byrd	Hale	Norris	Van Nuys
Byrnes	Harrison	Nye	Wagner
Capper	Hastings	Overton	Walcott
Caraway	Hatfield	Patterson	Walsh
Carey	Hayden	Pope	White
Clark	Johnson	Reed	
Connally	Kendrick	Reynolds	
Coolidge	King	Robinson, Ark.	

Mr. LEWIS. I desire to announce that the following Senators are necessarily detained from the Senate on official business: The Senator from North Carolina [Mr. BAILEY], the Senator from Colorado [Mr. COSTIGAN], the Senator from Illinois [Mr. DIETERICH], the Senator from Virginia [Mr. GLASS], the Senator from Nevada [Mr. PITTMAN], the Senator from South Carolina [Mr. SMITH], the Senator from Mississippi [Mr. STEPHENS], and the Senator from Montana [Mr. WHEELER].

The VICE PRESIDENT. Eighty-one Senators having answered to their names, a quorum is present.

Mr. BARKLEY (at 2 o'clock and 50 minutes p.m.). Mr. President, there is to be no further discussion, and we might as well vote now.

Mr. ROBINSON of Arkansas. I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The agreement was that the vote should be taken at 3 o'clock. The only question in the mind of the Chair is that some Senator who knew of the agreement might not be here until 3 o'clock, and the Chair thinks perhaps we should wait until 3 o'clock. If the Senate desires to vote, that is all right.

Mr. McNARY. Mr. President, it was I who proposed the unanimous-consent agreement that we vote at 3 o'clock.

The VICE PRESIDENT. The Senator is correct.

Mr. McNARY. I think it would be unfair to vote earlier than that hour, because some Senator might have noted the agreement in the RECORD and be depending on our voting at 3 o'clock. It would take unanimous consent, and I shall object.

The VICE PRESIDENT. Objection is made.

Mr. ROBINSON of Arkansas. Mr. President, only a few moments are left before 3 o'clock, and I shall say a word.

Not being a member of the Committee on Finance no opportunity has been afforded me of hearing the testimony of the witnesses relating to the controversy over the nomination of Mr. Helvering to be Commissioner of Internal Revenue.

In view of the statements made by the Senator from Michigan [Mr. COUZENS] that he looked at the eyes of Mr. Helvering and did not like them, that he thought they were shifty, and that he was basing his judgment in this case, not on the testimony, but on general considerations which he thought he had a right to have in mind as to the character and qualifications of the nominee, I feel justified in saying that it has been my privilege to know Mr. Helvering for a good many years. During the period of my acquaintance with him there has been occasion to observe his conduct both as a citizen and as a public official, and I have no hesitancy in saying that, so far as my judgment goes, he measures up to the very highest standards.

It is an act of injustice, in my opinion, for Senators disclaiming political motives, and implying a superior recognition of public duty, to yield themselves to prejudices which cannot be justified in evidence. There have been occasions within the knowledge of every Member of this body when efforts have been made to detract from the character and

honor of citizens and of public officials. If the Senate wishes to lend itself to that form of procedure, it now has an opportunity of doing so. In the testimony and in the able and unanswerable argument of the Senator from Kentucky [Mr. BARKLEY] we have ample justification for the confirmation of this nomination.

It is both unfair and unjust, when a committee of the Senate has heard all evidence offered touching the qualifications and fitness of an appointee to office, to go outside of the record and reach a decision on prejudice; and it does not reflect credit, in my humble judgment, on those who profess themselves to be possessors of virtues superior to ordinary citizens.

The fair, just, and honorable thing to do is to try any case on the evidence. Every man in this country is entitled to the application of that rule. You can arouse suspicion, you can hear rumors, you can lend yourself to the defamation of the best character known to the human mind. A sense of justice, that sense of justice which should inspire all Senators, should compel them to decide issues of this nature fairly; compel them to respond to the natural and logical conclusions to be arrived at from the evidence. Lawyers are listening to me now who know that if their fitness for office were to be determined by the justice of the causes which they have presented to juries or courts they could not stand the test anywhere.

The question is, Does this record show the nominee to be unfit; does it show him to be dishonorable? If any Senator reaches his conclusion to that effect from the evidence, I would never, here or anywhere else, criticize his judgment. But when he admits that he is going outside the evidence and deciding on the color of the eyes, or the shift of the eyes, I say it is time to call a halt, and reach a conclusion according to the evidence. Whatever decision the Senate reaches will be a just conclusion.

The VICE PRESIDENT. The hour of 3 o'clock having arrived, under the agreement heretofore entered into, the question before the Senate is, Will the Senate advise and consent to the nomination of Guy T. Helvering to be Commissioner of Internal Revenue? The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEWIS (when Mr. BARBOUR's name was called). I am requested to state that a general pair has been arranged between the Senator from South Carolina [Mr. SMITH] and the Senator from New Jersey [Mr. BARBOUR]. I make the announcement for the RECORD; I know nothing as to the details of how these Senators would vote.

Mrs. CARAWAY (when her name was called). I have a general pair with the senior Senator from Ohio [Mr. FESS], who is absent. Not knowing how he would vote, if present, I withhold my vote.

Mr. LEWIS (when Mr. DIETERICH's name was called). I wish to announce that my colleague [Mr. DIETERICH] is absent on official business. He is paired with the Senator from New Hampshire [Mr. KEYES]. I announce for my colleague that, if present, his vote would be "yea."

Mr. LEWIS (when Mr. HEBERT's name was called). I am requested to announce the pair of the Senator from Rhode Island [Mr. HEBERT] with myself. If the Senator from Rhode Island were present, he would vote "nay", and were I privileged to vote I should vote "yea."

Mr. LEWIS (when his name was called). Having announced my pair with the Senator from Rhode Island, I withhold my vote, announcing again that, if privileged to vote, I should vote "yea."

Mr. LOGAN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. DAVIS], who is absent. I transfer that pair to the senior Senator from Colorado [Mr. COSTIGAN], and will vote. I vote "yea."

Mr. LEWIS (when Mr. PITTMAN's name was called). I am requested to announce the absence of the Senator from Nevada [Mr. PITTMAN] on official business. He is paired with the Senator from New Jersey [Mr. KEAN]. Were the

Senator from Nevada present, it is announced he would vote "yea", and the Senator from New Jersey, if present, would vote "nay."

Mr. ROBINSON of Indiana (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. STEPHENS]. In his absence, and not knowing how he would vote, I withhold my vote. If permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. AUSTIN (after having voted in the negative). Since voting I have learned that the senior Senator from Virginia [Mr. GLASS], with whom I have a general pair, is in a conference and cannot attend the Senate at the present time, but that, if present, he would vote "yea." I therefore withdraw my vote.

Mr. LEWIS. I desire to announce that the following Senators are necessarily detained from the Senate on official business:

The Senator from North Carolina [Mr. BAILEY], the Senator from Colorado [Mr. COSTIGAN], the Senator from Virginia [Mr. GLASS], the Senator from South Carolina [Mr. SMITH], the Senator from Mississippi [Mr. STEPHENS], and the Senator from Montana [Mr. WHEELER].

The result was announced—yeas 56, nays 21, as follows:

YEAS—56

Adams	Clark	Hatfield	Patterson
Ashurst	Connally	Hayden	Pope
Bachman	Coolidge	Kendrick	Reynolds
Bankhead	Copeland	King	Robinson, Ark.
Barkley	Dale	Logan	Russell
Black	Dill	Lonerger	Schall
Bone	Duffy	Long	Sheppard
Bratton	Erickson	McAdoo	Thomas, Okla.
Brown	Fletcher	McCarran	Thomas, Utah
Bulkley	Frazier	McGill	Thompson
Bulow	George	McKellar	Trammell
Byrd	Goldsborough	Murphy	Tydings
Byrnes	Gore	Neely	Van Nuys
Capper	Harrison	Overton	Wagner

NAYS—21

Borah	Hastings	Nye	Walcott
Carey	Johnson	Reed	Walsh
Couzens	La Follette	Shipstead	White
Cutting	McNary	Steiwer	
Dickinson	Metcalf	Townsend	
Hale	Norris	Vandenberg	

NOT VOTING—19

Austin	Davis	Kean	Robinson, Ind.
Bailey	Dieterich	Keyes	Smith
Barbour	Fess	Lewis	Stephens
Caraway	Glass	Norbeck	Wheeler
Costigan	Hebert	Pittman	

So the Senate advised and consented to the nomination of Guy T. Helvering to be Commissioner of Internal Revenue.

MESSAGE FROM THE PRESIDENT—NOMINATION OF SENATOR BRATTON AS CIRCUIT JUDGE

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

Mr. ASHURST. Mr. President, the President of the United States has honored one of the Members of the United States Senate, Hon. SAM GILBERT BRATTON, now a Senator from New Mexico, by nominating him to be a United States circuit judge for the tenth circuit.

I am sure that the Committee on the Judiciary, if this nomination were referred to it, could ascertain no new facts respecting the Senator from New Mexico [Mr. BRATTON]; and, therefore, without any eulogy of his merits and talents as a lawyer and a Senator, I am going to presume to ask unanimous consent that the generous and courteous custom applied when Members of this body are appointed to the bench shall be now observed, and that the nomination be considered at this time.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. Mr. President, on account of the very many charming qualities of the Senator from New Mexico, whose nomination we have received, in behalf of the minority I join in the request made by the able Senator from Arizona.

The PRESIDING OFFICER. No objection being heard, the clerk will read the message from the President.

The legislative clerk read as follows:

To the Senate of the United States:

I nominate Sam Gilbert Bratton, of New Mexico, to be United States circuit judge, tenth circuit, to succeed John H. Cotteral, deceased.

FRANKLIN D. ROOSEVELT.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination?

The nomination was unanimously confirmed.

Mr. McNARY. Mr. President, I move that the President be notified of the confirmation.

The motion was unanimously agreed to.

ASSISTANT SECRETARY OF THE TREASURY

The VICE PRESIDENT. The clerk will state the next nomination on the calendar.

The Chief Clerk read the nomination of Thomas Hewes, of Connecticut, to be Assistant Secretary of the Treasury.

Mr. COUZENS. Mr. President, this is another nomination for a position in the Treasury Department that was reported from the Finance Committee without ever having the nominee appear to be questioned. I do not know of this man's qualifications; I am not in a position to disclose anything which would indicate that he is not competent or fit for the office. However, the Chairman of the Committee on Finance promised me that he would have Mr. Hewes come before the committee before the nomination was taken up. I now ask the Chairman of the Committee on Finance whether or not he is going to give us an opportunity to examine Mr. Hewes or whether it is proposed to railroad this nomination through?

Mr. HARRISON. I may say that the Senator did request, I think, some 4 days ago, that Mr. Hewes be brought here to be questioned.

Mr. COUZENS. That is correct.

Mr. HARRISON. I spoke to the Senator from Connecticut [Mr. LONERGAN] and asked him to try to get Mr. Hewes to come here. I was told that he could not get here for a few days but would send certain information, and I had hoped that the matter would be straightened out. If, however, the Senator from Michigan insists on the nominee coming down, in view of what I told him, I think the nominee ought to appear before the committee.

Mr. COUZENS. Mr. President, I should like the Senator to do that, because I have a bundle of information here, and I do not like to put it all in the RECORD without giving the nominee a chance to be heard.

Mr. HARRISON. I thank the Senator. I ask that this nomination be passed over for the present, and we will try to have Mr. Hewes come here.

The VICE PRESIDENT. Without objection, the nomination will be passed over. The next nomination on the calendar will be stated.

THE JUDICIARY

The Chief Clerk read the nomination of James R. Fleming, of Indiana, to be United States attorney for the northern district of Indiana.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Val Nolan, of Indiana, to be United States attorney for the southern district of Indiana.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

That completes the calendar.

REPORT OF COMMITTEES

Mr. HARRISON, from the Committee on Finance, reported favorably the following nominations, which were ordered to be placed on the calendar:

Arthur A. Quinn, of New Jersey, to be comptroller of customs in customs collection district no. 10, with headquarters at New York, N.Y., in place of Arthur F. Foran; Clement L. West, of Omaha, Nebr., to be collector of customs for customs collection district no. 46, with head-

quarters at Omaha, Nebr., to fill an existing vacancy; and James J. Connors, of Juneau, Alaska, to be collector of customs for customs collection district no. 31, with headquarters at Juneau, Alaska, in place of John C. McBride.

Mr. BAILEY, from the Committee on Finance, reported favorably the nomination of John Bright Hill, of North Carolina, to be collector of customs for customs collection district no. 15, with headquarters at Wilmington, N.C., in place of Mrs. Fannie Sutton Faison, which was ordered to be placed on the calendar.

Mr. WHEELER, from the Committee on Indian Affairs, reported favorably the nomination of William Zimmerman, Jr., of Illinois, to be Assistant Commissioner of Indian Affairs, vice J. Henry Scattergood, which was ordered to be placed on the calendar.

LEGISLATIVE SESSION

Mr. ROBINSON of Arkansas. I move that the Senate resume legislative session.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J.Res. 48) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China, and it was signed by the Vice President.

APRIL REPORT OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Reconstruction Finance Corporation, submitting, pursuant to law, the report of the activities and expenditures of the Corporation for April 1933, together with a statement of loans authorized during that month, showing the name, amount, and rate of interest in each case, which, with the accompanying statements, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Twenty-sixth Annual Congress of the Descendants of the Signers of the Declaration of Independence, affirming its opposition to the recognition of the present Soviet Government of Russia, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution adopted by the aldermen of the city of Chelsea, Mass., protesting against the reported suspension of repair work at the Charlestown Navy Yard until 1935, which was referred to the Committee on Naval Affairs.

Mr. BULKLEY presented the following joint resolution adopted by the Legislature of the State of Ohio, which was referred to the Committee on Foreign Relations:

Joint resolution memorializing the Senate of the United States of America to act favorably and promptly upon the three World Court treaties which are now upon its Executive Calendar

Whereas the Ohio Senate on February 10, 1925, called upon the Senate of the United States "to act favorably and promptly on the proposal for American adherence to the world court"; and

Whereas the Senate of the United States on January 27, 1926, by a vote of 76 to 17, approved the adherence of the United States to the World Court, with five reservations; and

Whereas these reservations are now fully met in the judgment of the Department of State and of such authoritative bodies as the American Bar Association and the Ohio State Bar Association by the three treaties now awaiting the Senate's consent to ratification; and

Whereas the completion of the adherence of this country to the World Court as the outstanding agency for the judicial settlement of certain classes of international disputes would contribute

to that sense of international security of which the nations of the earth now stand so much in need; and

Whereas the question of our adherence to the Court has now been before the country and the Senate in some form for 10 years and is, in our judgment, entitled now to settlement on the merits: Therefore be it

Resolved by the General Assembly of the State of Ohio, That the members of the General Assembly of the State of Ohio hereby memorialize the Senate of the United States to act favorably and promptly upon the three World Court treaties which are now upon its Executive Calendar; and be it further

Resolved, That a copy of this resolution be forwarded to each of the two United States Senators from Ohio.

REMONETIZATION OF SILVER

Mr. WHEELER presented resolutions adopted by Glentana Local, No. 334, Farmers Union, of Glentana, Mont., which were referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

(Unanimously approved by Glentana Local, No. 334)

Whereas the Federal Reserve Banking System, owned and controlled by private money lenders and users, is a debt-making financial system that has bankrupted the Nation and its people, creating crimes, suicides, and insanity; now imperiling the functioning of our Government, and has placed a yoke of bondage on the people of the United States; and

Whereas, under powers granted to Congress, the Constitution provides in article I, section 5, that Congress shall have power to coin money, regulate the value thereof, and of foreign coin:

Therefore the Federal Reserve banking laws are unconstitutional, and have sunk this Nation in despair and left it torn and bleeding: Therefore be it

Resolved, That we demand the repeal of this hell-born financial system, that the Federal Reserve Act be abolished. The United States Government issue non-interest-bearing Treasury notes, and never again be guilty of the crime of issuing interest-bearing bonds; and be it further

Resolved, That the crime of 1873 be atoned for and that Congress immediately enact the Wheeler silver bill (S. 70) remonetizing silver; and be it further

Resolved, That as a further measure to end this crazy criminal banker-made depression that Congress immediately enact the Frazier farmers' farm relief bill (S. 457) and immediately pay the soldiers' bonus with non-interest-bearing Treasury notes. Such notes to be full legal tender for all debts, public and private, omitting any reference to any Federal Reserve bank or banker as provided for in H.R. 7726; and be it further

Resolved, That Senator WHEELER be asked to insert it in the CONGRESSIONAL RECORD.

FRANK SCHUSTER, *President,*
JOHN ZIMMER, *Secretary,*
Farmers' Union, Glentana, Mont.

REPORTS OF COMMITTEES

Mr. TRAMMELL, from the Committee on Naval Affairs, to which was referred the bill (H.R. 1767) to authorize the acceptance of certain lands in the city of San Diego, Calif., by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego, reported it without amendment and submitted a report (No. 103) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 1780) to provide for the discontinuance of the use as dwellings of buildings situated in alleys in the District of Columbia, and for the replating and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes, reported it with amendments and submitted a report (No. 104) thereon.

INVESTIGATION OF RACKETS AND RACKETEERING

Mr. STEPHENS, from the Committee on Commerce, to which was referred the resolution (S.Res. 74) authorizing an investigation of the matter of so-called "rackets" with a view to their suppression (submitted by Mr. COPELAND on May 8, 1933), reported it with an amendment in the nature of a substitute, and the resolution was ordered to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DILL:

A bill (S. 1809) for the relief of Arthur L. Benedict; to the Committee on Claims.

By Mr. WALSH:

A bill (S. 1810) to amend the act authorizing the issuance of the Spanish War Service Medal; to the Committee on Military Affairs.

A bill (S. 1811) for the relief of James Maurice Reagan; to the Committee on Naval Affairs.

By Mr. MCGILL:

A bill (S. 1812) granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the War with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes; to the Committee on Pensions.

By Mr. HARRISON:

A bill (S. 1813) providing for the sale to Joe Graham Post, No. 119, American Legion, of the lands lying within the Ship Island Military Reservation in the State of Mississippi; to the Committee on Military Affairs.

By Mrs. CARAWAY:

A bill (S. 1814) to authorize the Secretary of War to erect one marker for the graves of 85 Confederate soldiers, buried in the Old Rondo Cemetery in Miller County, Ark., in lieu of separate markers as now authorized by law; to the Committee on Military Affairs.

By Mr. BARKLEY:

A bill (S. 1815) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Owensboro, Ky.; to the Committee on Commerce.

AMENDMENT TO INDEPENDENT OFFICES APPROPRIATION BILL

Mr. FESS submitted an amendment intended to be proposed by him to House bill 5389, the independent offices appropriation bill, which was ordered to lie on the table and to be printed as follows:

On page 34, after line 24, to insert the following:

"AMERICAN HISTORICAL ASSOCIATION

"For printing the annual report of the American Historical Association, \$6,000."

MERGER OF GEORGETOWN GASLIGHT CO. WITH WASHINGTON GAS LIGHT CO.—AMENDMENT

Mr. CAPPER submitted an amendment intended to be proposed by him to the bill (S. 1403) to authorize the merger of The Georgetown Gaslight Co. with and into Washington Gas Light Co., and for other purposes, which was ordered to lie on the table and to be printed.

ORGANIZATIONS WITHIN THE FARM-CREDIT ADMINISTRATION—AMENDMENT

Mr. DILL submitted an amendment intended to be proposed by him to the bill (S. 1766) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes, which was referred to the Committee on Banking and Currency and ordered to be printed.

AMENDMENTS TO INDUSTRIAL CONTROL AND PUBLIC WORKS BILL

Mr. OVERTON submitted an amendment intended to be proposed by him to House bill 5755, the so-called "industrial control and public works bill", which was referred to the Committee on Finance and ordered to be printed.

Mr. REYNOLDS submitted an amendment intended to be proposed by him to Senate bill 1712, the so-called "industrial control and public works bill", which was referred to the Committee on Finance and ordered to be printed.

REFERENCE OF A RESOLUTION—INVESTIGATION RELATIVE TO RECEIVERSHIPS AND BANKRUPTCY PROCEEDINGS

On motion of Mr. ASHURST, and by unanimous consent, the resolution (S.Res. 78) authorizing the appointment of a special committee to investigate the administration of bankruptcy and receivership proceedings in United States courts (submitted by Mr. McADOO on the 12th ultimo) was taken from the table and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

NOTICE OF MOTION TO SUSPEND THE RULES

Mr. McKELLAR presented a notice of motion to suspend the rules, which was read, as follows:

Pursuant to the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to House bill 5389, the independent offices appropriation bill, the following amendment, viz:

At the proper place in the bill to insert the following:

"Section 5 of the Reconstruction Finance Corporation Act, approved January 22, 1932, is amended by adding after the words 'Agricultural Credit Corporation', in the eighth line of said section, the following: ', producers of finished articles, from raw or unmanufactured materials, the products of the soil or forest.'"

The VICE PRESIDENT. The amendment intended to be proposed by the Senator from Tennessee [Mr. McKELLAR] will be printed and lie on the table.

PAYMENT TO SURPLUS GRADUATES OF NAVAL ACADEMY—CONFERENCE REPORT

Mr. TRAMMELL submitted the following report, which was ordered to lie on the table:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5012) to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

PARK TRAMMELL,

GEO. MCGILL,

Managers on the part of the Senate.

CARL VINSON,

FRED A. BRITTEN,

Managers on the part of the House.

HOUSE BILL REFERRED

The bill (H.R. 5790) to provide for organizations within the Farm Credit Administration to make loans for the production and marketing of agricultural products, to amend the Federal Farm Loan Act, to amend the Agricultural Marketing Act, to provide a market for obligations of the United States, and for other purposes, was read twice by its title, and referred to the Committee on Agriculture and Forestry.

ADDRESS BY SENATOR CLARK AT MARSHALL COLLEGE, HUNTINGTON, W.VA.

Mr. NEELY. Mr. President, I ask unanimous consent to have printed in the RECORD an able and interesting address delivered by the junior Senator from Missouri [Mr. CLARK] at the commencement exercises at Marshall College, Huntington, W.Va., on Monday, May 29, 1933.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

President Shawkey, members of the faculty, and student body of Marshall College, ladies, and gentlemen, let me say at the outset that this is a day which brings to my heart and mind feelings for which I have no adequate words of expression. The honor which I feel at being invited to deliver the commencement address at this historic institution and the extraordinary gratification which must inevitably come to me at being awarded by the faculty the honorary degree of doctor of laws—both of which, I assure you, I keenly appreciate—are merged and submerged in the overwhelming feeling of pleasure in being allowed to stand today in the haunts where my father stood when as a young man of 23 he succeeded, at Marshall College, President Morrow, the distinguished father of the late Senator Dwight F. Morrow.

My father during the course of his life received many high honors, but none which he treasured more, of which he was more proud, than that of having been in his young manhood the president of Marshall College. For many years he retained the distinction of having been the youngest college president in the United States. His children were raised to appraise that honor as one of the highest that was ever bestowed upon him throughout his life.

Nearly 22 years ago, on the occasion of his last visit to Huntington, I had the pleasure of being with him when from the rostrum in this college he publicly expressed his pride in his connection with it and his undying affection for the institution. And so, while I have been in Huntington only once before in my life, I am certain that you will all understand why, in a very

real sense, I have a feeling of coming home to be at Marshall College today. For after all, when all is said and done, nothing can possibly afford a normal man more pleasure than to

"View the same scenes,
And drink the same streams
And to run the same course
That his fathers have run."

So today I feel that I am no stranger to these walls, and I know that my father, if he might be here today to see the splendid progress of the institution whose growth he fostered so many years ago, would rejoice as doth the upright in heart.

It is difficult for public men, in making commencement addresses, to avoid banality, on the one hand, and argumentation, on the other. Every reasonable citizen entertains such sincere feelings of congratulation and good wishes for the young men and women who have been fortunate enough to complete a college education that nearly everything which may be said in that regard has become worn and frayed from previous usage to an extent where commencement addresses have by tradition become conventional and tiresome. On the other hand, there is the constant temptation on such an occasion to a man in public life to undertake to expound his own theorem, with the idea that he may be able to make converts among those newly coming to the more active phases of our national life for the particular theories to which he himself adheres.

Therefore, today, graduates of Marshall College, I shall endeavor to avoid both precept and propaganda. I shall remind you only of a few things which you yourselves do know, if you have been as admirably trained for the battles of life as I am sure you have, and I shall endeavor to endear myself to your hearts and write my name on the tablets of your memory by making these remarks mercifully brief.

The young men and women who graduate from the colleges and universities of the United States this spring are coming into the activities of the world to face unparalleled conditions. Measures are in progress which bid fair to radically, probably permanently, change the whole of our governmental, economic, and social fabric. The classes which left the colleges of the North and South in 1861 to don the blue or the gray, as the case might be, the young lads who as members of the Cadet Corps of Virginia Military Institute met the embattled Union hosts at Newmarket, the numberless youths who left school as mere boys in 1917 to become stern-faced men in the Argonne and Saint-Mihel, all embarked upon enterprises calling to the patriotism and calculated to stir the blood of men harking back to long generations of martial sires. You leave these cloistered halls in times of even sterner stress.

Never in the history of the United States, never in the history of the world, has there been a time when there was more vital necessity for the active participation in public affairs of men and women of trained intelligence than exists today. The world is in a welter of depression and despair. For this reinforcement of progressive thought and action, we must look primarily to those who have had the advantages of a college education, who, fortunate above their fellows, have been privileged to enjoy the opportunity to study questions of public import, and who owe an obligation to their country—and more particularly to those whose sacrifices made their advantages possible, to live up to the full requirements of citizenship.

There was a time not so long ago when in the full tide of a pseudo-prosperity in this country, there was almost a cult among the intelligent and the well-to-do that it was a disgrace to take an interest in politics—or in public affairs because that is all that politics is. In the recent election, the tremendous increase in the popular vote showed a sudden and overwhelming return to realization upon the part of the great mass of the people that politics is, after all, nothing more than business—your business, my business, the business of all of us. Indeed, in these parlous times it is about the only business left to millions of our citizens.

I urge upon you, as among those who have enjoyed exceptional advantages in life, that there is no higher obligation of citizenship than that of participating actively in public affairs. Not that I urge you to run for public office—that is a poor enough business when you are successful and it is an infinitely sorry business when you lose—but the highest hope for the Nation's welfare is for an intelligent electorate to study the public questions of the day and for every qualified voter to go to the polls on election day and vote his honest convictions, no matter what they may be. To the failure of decent citizens to properly study public questions and then enforce their sovereign will at the polls, all our municipal disgraces and nearly all our State and National difficulties are directly chargeable.

There does not exist in the whole United States a city or hamlet where decent, law-abiding citizens do not far outnumber the racketeers, the criminals, and the corrupt. These sinister elements exist only through the neglect of the decent majority to adequately enforce its will through government. If I had my way, I would have every State provide by law that any citizen who failed without proper reason to exercise the right of suffrage should be deprived of that right for a specified period. My most fervent prayer for the future of this Republic is that the time may come when every citizen may have the intelligence to cast his vote and the courage to cast it as he pleases, regardless of every boss, file leader, and whip cracker in the land.

I do not desire today to discuss in any way our domestic, political, and economic problems, for anything that I might say in that regard might smack of partisanship. But I do wish to

invite your attention briefly to a subject so vital in its possibilities, so dread in its implications as to challenge the interest of every thinking man or woman in this Nation, or for that matter, in the whole world, and that is the imperative necessity for a cessation in the race of competitive armaments which is bankrupting the world and for the establishment of permanent peace through disarmament. To my mind, President Roosevelt's most magnificent achievement has been his stirring and dramatic appeal to the nations of the world to avoid the dangers of new and more terrible conflicts through the medium of universal and pro-rata disarmament. It is of supreme importance that there be created in this country an overwhelming public sentiment in support of this endeavor. Backed by this sentiment in our own country, the President will be immensely strengthened in his dealings with other nations.

Almost 20 years ago the world was shaken by the tragic cataclysm of the World War. It is not necessary to speak of the horrors of that dreadful calamity—of the millions of lives that were sacrificed, of the oceans of blood that were poured out, of the billions of treasure that were sacrificed, of the moral and governmental deterioration that accompanied and followed the awful conflict. We all know that story. Today the world is still reeling and suffering from the effects of the struggle. The world is still paying the price in the breaking down of governments, in revolution, dictatorships, depression, panic, and famine. If civilization is to endure, this ordeal must not be repeated. Yet in the midst of world-wide desolation the nations of the world are persistently arming for the next conflict. To say nothing of the perils to civilization in such a course, in this time of universal stress it constitutes the most shocking and indefensible economic waste in history.

We are a creditor Nation. Most of the nations of Europe are heavily in our debt, owing us billions which they now profess themselves unable to pay. Complex as is the problem of the interallied debts in many respects, its general outlines may be simply stated and easily understood. During the Great War and after its conclusion the United States loaned to the allied and associated nations vast sums of money—money so vitally needed that without it these nations would have been unable to continue their prosecution of the war. These loans in the aggregate exceeded the sum of \$21,000,000,000—a sum so vast as almost to pass the comprehension of the human mind.

These sums the United States did not have on hand in the Treasury as surplus but were borrowed from the people of the United States upon the solemn obligations of our Government.

These loans must be repaid, dollar for dollar, punctually upon the date due according to the tenor of the obligation. And since the United States has no means of revenue except from the taxation of our own citizens and of property within the United States, it follows that except as these loans to foreign nations are repaid by the debtor nations the whole tremendous burden of the loans must be shouldered by the taxpayers of this country. A very large portion of the burden of taxation under which the Nation has been struggling is due directly to this cause.

We may assume that the debts were contracted by the Allies in good faith. Certainly their need was great at the time the debts were contracted. Yet soon after the conclusion of the war the contentions began to appear upon the part of the debtor nations that it was unfair for us to insist upon payment according to the strict terms of the obligations. With a liberality unparalleled in the entire history of the world the United States agreed to a general scaling down of the debts, settling on terms varying from 80 cents on the dollar in the case of Great Britain down to 20 cents on the dollar in the case of Italy, and extending the time for payment to 68 years at the lowest possible rates of interest. We thus gave them \$11,000,000,000 outright.

In the meantime, at Versailles a prostrate and vanquished Germany had been forced—justly as the Allies believed, unjustly as the Germans have passionately maintained—to assume a large part of the payment of the war in the shape of reparations. While the repayment of our loans to the Allies was in no wise conditioned upon the payment to them of reparations from Germany, a curious contention has grown up on their part that their obligations to us were contingent upon and limited by Germany's payments to them.

Since the end of the war an insistent propaganda, largely financed by certain international bankers, has been at work in the United States in favor of the cancellation or further reduction of these debts. These international bankers have in the last 15 years underwritten several billions of securities for these same debtor nations at liberal discounts which they have later largely sold to private investors but in which they still retain a considerable interest. Obviously, if the public debt owed the Government of the United States could be canceled, the chance for the collection of these private debts with their generous rates of interest would be measurably enhanced.

As a result of this propaganda in the United States and as a result of the increasing effects of the depression, there has been a steadily increasing demand on the part of the debtor nations that they be released from the undertakings solemnly entertained. We have been dubbed "shylocks" and "skinflints" by the nations which we saved from destruction for insisting upon the payment of obligations twice solemnly assumed and reduced an average of 50 percent through our generosity. The Right Honorable Neville Chamberlain, Chancellor of the British Exchequer, has twice expressed the hope in Parliament that while debt cancellation would doubtless be opposed by the ignorant yokels of the Middle West they would be finally overborne by the intelligentsia of the eastern

seaboard. France, with that aloofness which seems to be characteristic whenever the subject of payment of her debts is under discussion, repeated her conduct of a previous historic occasion and simply refused to pay.

And yet throughout this period these very same nations have been squandering and compelling us to squander billions of dollars in a competition of armaments fully as insane, fully as criminal, fully as useless as that which precipitated the tragedy of 1914.

For 15 years France and her allies of the Little Entente have been brandishing a sword over Europe in a manner fully as truculent and fully as dangerous as any of the gestures of the Kaiser, which preceded the debacle of 1914. Italy, Russia, and Poland have long been under the control of brutal dictators, while the steady refusal of the Allies to carry out their obligations under the Treaty of Versailles to disarm has finally thrown Germany into the hands of the unspeakable Hitler, with his bestial and disgraceful campaign of anti-Semitism and his brutal attempt to stamp out every vestige of liberty and culture in the land. Japan wages at the moment a war of conquest and wanton aggression as unjustifiable as any in the world's history.

Gen. Tasker H. Bliss, American member of the supreme war council, once said that all the causes of the World War could be summed up in one sentence: "Too many men wandering around Europe with guns in their hands." And yet today, nearly 20 years after the outbreak of the war, there are a million more men under arms in Europe than in 1914. The expenditures of the nations for the next war exceeds the bill for armaments of 1913 by hundreds of millions of dollars. Preparation for new and more terrible carnage goes on apace.

In actual expenditure of cash we lead the world in expenditures on armament, for, although on the basis of per-capita armament we have made the smallest preparation for war of any of the leading nations except Germany, we get so much less for our money that our total budgetary expenditures stand highest.

In 1931, the last year for which figures of all nations are now available for comparison, the United States, weltering in depression, with 10,000,000 citizens out of employment, with industry staggering and finance in collapse, nevertheless, spent nearly \$900,000,000 in preparation for the next war. England, faced with a dole system and an unemployment situation so acute as to threaten revolution, was, nevertheless, able to spend well above four hundred millions in arming for battle. Poverty-stricken France, protesting its poverty and its total inability to pay its debts, was able, nevertheless, to squander well above a half billion dollars in getting ready for conflict and to loan further vast sums to its allies for similar purposes. Italy and Japan, with depreciated currencies, both anxious to saddle their own expenditures in the last war upon the backs of the American taxpayers, were each able, nevertheless, to spend well above three hundred millions in military preparation. Even Poland, child of the conflict, existing, so far as its national finances are concerned, largely on the bounty of the United States and France, was able to dig up nearly a hundred million for war purposes.

The scene is again being arranged for war. The powder magazine is ready; the train is laid. At any moment a spark may set off another conflagration more ghastly, more costly, and more deadly than the last. Unless the statesmanship of the world is able to take steps for stopping this insane competition of armaments, this generation or the next will see an enlarged and intensified manifestation of the horrors which still oppress the world. Your boy and my boy may be asked to take their places in the red lane of death. The youth of every nation will again be sent to the shambles. Blood will again be poured out like water, and a bankrupt world will throw its remaining treasure into the devastating maw of war.

The assertion which we constantly hear that the best way to preserve peace is to constantly be prepared for war is in open defiance to the universal experience of mankind. No reasonable man would assert that the best way to preserve peace among individuals would be for each to go constantly armed to the teeth. We all know that the possession of arms by individuals is a constant and certain cause of personal conflict. Mild differences, slight disputes, inconsequential misunderstandings blossom easily into personal encounters when each disputant has ready to his hand a stock of weapons. And nations are but aggregations of individuals.

For the nations of the world to permit a situation to continue in which possibly this generation or almost certainly the next will witness another conflict, possibly involving the obliteration of our civilization, is stupendous and incredible folly. Peace treaties have proven of no avail. Arbitration courts, excellent in themselves, have shown themselves helpless to avert actual conflict. The League of Nations stands futile, helpless, and hopeless in the face of aggression. Disarmament is the only avenue to permanent peace. That way lies the hope of mankind. To achieve that course should be the goal of the statesmanship of the world.

So far as I am concerned, I am opposed to canceling a single penny of the debts owed us by other nations so long as they are squandering huge sums and compelling us to waste vaster sums on competitive armaments. I am opposed to canceling any of the debts unless they make it worth our while to do it. But to bring about disarmament insuring the peace of the world we could well afford to cancel all the debts. Even to put it on the most mercenary basis, and to disregard any higher basis, if we could bring about substantial pro-rata reduction in armaments enabling us to make similar reductions in our military and naval expenditures, it would be worth while for us as a mere matter

of dollars and cents. Therefore, I believe that the United States should use these debts as an economic and diplomatic club to compel pro-rata reduction of armaments.

Upon the economic and disarmament conferences soon to be held depend the safety and progress of the world. Let us hope that there may be enough of enlightened public sentiment in all the nations to drive the statesmen and rulers of the world toward those reforms for which civilization is groping. God grant that we or our children may yet see that bright day of which the poet sings: "When the war drum throbs no longer and the battle flags are furled."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the bill (S. 1581) to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, etc.

INDEPENDENT OFFICES APPROPRIATIONS

The Senate resumed the consideration of the bill (H.R. 5389) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1934, and for other purposes.

Mr. MCADOO. Mr. President, I send to the desk and ask to have read a letter relating to the case of a veteran in California.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read as requested.

The Chief Clerk read as follows:

HOLLYWOOD, CALIF., May 26, 1933.

Mr. J. F. T. O'CONNOR,

Comptroller of the Currency, Washington, D.C.

DEAR SIR: With the approval and consent of his excellency, the Most Reverend John J. Cantwell, Bishop of Los Angeles, I am writing this letter to you in the interest of a very good member of this parish. His name is John G. Carlisle. He is a grandson and namesake of the late Hon. John G. Carlisle, Speaker of the House of Representatives in the Forty-eighth, Forty-ninth, and Fiftieth Congresses, Senator from Kentucky from 1890 to 1893, and Secretary of the Treasury in the Cabinet of President Cleveland. During the World War he served as divisional liaison officer for the Eighty-second Division to the Forty-second Division, and was seriously wounded at the front by bursting of an enemy high-explosive shell. He is now, as a result, an invalid unable to engage in any lucrative occupation. For some years he has been granted compensation for his disability by the Government; but in April of this year he received a letter from the Veterans' Administration, without date or signature, removing him from the retired list. This action has been a great blow to him, as his retirement pay has been his only source of income and the only means of supporting himself and family. I feel sure that it is not the intention of President Roosevelt, in his policy of retrenchment, to permit such an action in the case of one who is so deserving.

I am aware of the fact that many similar appeals will be made to the Veterans' Bureau; but I am asking you, on the suggestion of his excellency the Bishop, to draw this particular case to the attention of the Honorable WILLIAM GIBBS MCADOO, Senator from California, in the hope that through your kind offices Mr. McAdoo may have an interest in this case.

Mr. Carlisle is addressing himself directly to Mr. McAdoo, supplying him with all the details of his service and disability. I consider Mr. Carlisle very deserving, and his excellency the Bishop and myself would personally consider it a favor if you saw fit to interest yourself to the degree of cooperating with Mr. McAdoo in Mr. Carlisle's behalf.

Yours very sincerely,

CORNELIUS J. MCCOY, S.J., Pastor.

Mr. REYNOLDS. Mr. President, I ask unanimous consent to have printed in the RECORD a paragraph appearing in an article recently published in the magazine Plain Talk. The article is entitled "Veterans Take a Licking."

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From Plain Talk, May 1933]

I quote from the CONGRESSIONAL RECORD of February 9, 1917:

"In March 1915 the J. P. Morgan interests, the steel, shipbuilding, and powder interests, and their subsidiary organizations, got together 12 men high up in the newspaper world and employed them to select the most influential newspapers in the United States and sufficient number of them to control, generally, the policy of the daily press of the United States.

"These 12 men worked the problem out by selecting 179 newspapers, and then began an elimination process, to retain only those necessary for the purpose of controlling the general policy of the daily press throughout the country. They found it was only necessary to purchase the control of the greatest papers.

"The 25 papers were agreed upon; emissaries were sent to purchase the policy—national and international policy—of those papers; an agreement was reached; the policy of the papers was bought, to be paid for by the month; an editor was appointed for each paper to properly supervise and edit information regarding the questions of preparedness, militarism, financial policies, and other things of national and international nature considered vital to the interests of the purchasers.

"This contract is in existence at the present time (1917), and it accounts for the news columns of the daily press of the country being filled with all sorts of preparedness arguments and misrepresentations as to the present condition of the United States Army and Navy and the possibility of the United States being attacked by foreign foes.

"This policy also included the suppression of everything in opposition to the wishes of the interests served. The effectiveness of this scheme has been conclusively demonstrated by the character of stuff carried in the daily press throughout the country since March 1915.

"They have resorted to everything necessary to commercialize public sentiment and to sandbag the National Congress into making extravagant, wasteful appropriations for the Army and Navy under the false pretense that it was necessary. Their stock argument is that it is 'patriotism.' They are playing on every prejudice and passion of the American people."

Mr. SHIPSTEAD. Mr. President, I have here a statement sent me by Amputation Post, No. 1539, of the Veterans of Foreign Wars, of Minneapolis, Minn. This memorandum statement shows the reductions in compensation to service-connected wounded soldiers of the last war. I ask that it may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

1. Gunshot wound left arm, left thigh, right lower leg, sciatic neuritis left due to gunshot wound, previously rated permanent partial 40 percent or \$40 per month, under Public, No. 2, Seventy-third Congress, permanent partial 25 percent or \$20 per month.
2. Gunshot wound chest wall with adhesions and foreign body, previously rated permanent partial 35 percent or \$35 per month, under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.
3. Gunshot wound right quadriceps, gunshot wound left calf, moderately severe, psychoneurosis hysteria held as secondary to gunshot wound, previously rated permanent partial 56 percent or \$56 per month, under Public, No. 2, Seventy-third Congress, service connection for psychoneurosis hysteria was severed and gunshot wound rated as 25 percent or \$20 per month.
4. Gunshot wound through and through left chest with fibrosis of lung, bronchitis and pleurisy held as due to gunshot wound previously rated permanent partial 34 percent or \$34 per month, under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.
5. Gunshot wound right leg with 1½ inch shortening of the leg (dementia praecox not due to service), previously rated permanent partial 30 percent or \$30 per month, under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.
6. Gunshot wound left arm previously rated permanent partial 20 percent or \$20 per month, under Public, No. 2, Seventy-third Congress, rated less than 10 percent (0 percent).
7. Gunshot wound right wrist and hand, impaired function of hand and retained foreign bodies, amputation third finger right hand, paralysis almost total right ulnar nerve due to gunshot wound, previously rated 41 percent or \$41 per month, under Public, No. 2, Seventy-third Congress, 25 percent or \$20 per month.
8. Amputation right arm upper third, gunshot wound left shoulder, previously rated permanent partial 90 percent plus the statutory award of \$25 total rate of pay \$115 per month, under Public, No. 2, Seventy-third Congress, rated 75 percent or \$60 plus the statutory award of \$20, rate of pay \$80 per month.
9. Gunshot wound right thigh, moderately severe, previously rated permanent partial 17 percent or \$17 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.
10. Gunshot wound right hand, previously rated permanent partial 36 percent or \$36 per month; under Public, No. 2, Seventy-third Congress, 25 percent or \$20 per month.
11. Gunshot wound, previously rated permanent partial 26 percent; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.
12. Gunshot wound, previously rated permanent partial 20 percent or \$20 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.
13. Gunshot wound through and through right foot with atrophy of disuse right calf, previously rated permanent partial 17 percent or \$17 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.
14. Gunshot wound right upper arm, gunshot wound through and through right thigh, arthritis right knee and neuritis traumatic, previously rated permanent partial 33 percent or \$33 per month; under Public, No. 2, Seventy-third Congress, permanent partial 10 percent or \$8 per month.
15. Amputation right thigh with neuroma large painful right stump, second degree, pes planus left foot, anxiety neurosis secondary to gunshot wound, previously rated permanent total plus the statutory award of \$25, total rate of pay per month \$125; under Public, No. 2, Seventy-third Congress, rated permanent par-

tial 50 percent or \$40 plus the statutory award of \$20, total rate of pay \$60 per month.

16. Gunshot wound, previously rated permanent partial 28 percent or \$28 per month; under Public, No. 2, Seventy-third Congress, 25 percent or \$20 per month.

17. Gunshot wound left thigh and right wrist, with sciatic neuritis, previously rated permanent partial 15 percent or \$15 per month; under Public, No. 2, Seventy-third Congress, less than 10 percent (0 percent).

18. Gunshot wound right forearm, previously rated permanent partial 21 percent or \$21 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

19. Healed fracture left tibia with angulation and shortening, mild atrophy left leg, previously rated permanent partial 22 percent or \$22 per month; under Public, No. 2, Seventy-third Congress, less than 10 percent (0 percent).

20. Healed multiple gunshot wound and operative scars left face and left mastoid, deafness due to gunshot wound, paralysis left facial nerve, partial ankylosis of the jaw, and neurasthenia. Also gunshot wound right thigh, previously rated permanent partial 54 percent or \$54 per month; under Public, No. 2, Seventy-third Congress, rated 25 percent or \$20 per month.

21. Multiple gunshot wound lumbar region, multiple gunshot wound both arms, moderate irritation of left ulnar nerve, previously rated permanent partial 20 percent or \$20 per month; under Public, No. 2, Seventy-third Congress, 25 percent or \$20 per month.

22. Gunshot wound with amputation right index finger, previously rated permanent partial 20 percent or \$20 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

23. Gunshot wound right forearm through and through, herniation of muscle underlying scar, previously rated permanent partial 12 percent or \$12 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

24. Gunshot wound left wrist with ankylosis, deformity and ankylosis of second, third, fourth, and fifth fingers left, foreign body left thumb, previously rated permanent partial 48 percent or \$48 per month; under Public, No. 2, Seventy-third Congress, permanent partial 25 percent or \$20 per month.

25. Gunshot wound left elbow, partial paralysis ulnar nerve; arthritis secondary to gunshot wounds, previously rated permanent partial 83 percent or \$83 per month; under Public, No. 2, Seventy-third Congress, 50 percent or \$40 per month.

26. Gunshot wound right tibia with compound fracture, both bones lower leg, previously rated permanent partial 17 percent or \$17 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

27. Gunshot wound left leg and back, previously rated permanent partial 25 percent or \$25 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

28. Gunshot wound scars right arm, compound comminuted fracture right humerus, previously rated permanent partial 22 percent or \$22 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

29. Healed tender shrapnel scar, lower right back, previously rated 25 percent or \$25 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

30. Gunshot wound right arm, with moderate injury to biceps muscle, gunshot wound right forearm, moderately severe injury with ulnar nerve, paralysis partial, gunshot wound chest, with injury to dorsal muscle, previously rated permanent partial, 27 percent, or \$27 per month, under Public, No. 2, Seventy-third Congress, 25 percent, or \$20 per month.

31. Gunshot wound right thigh, right knee through and through; left leg through and through, with fracture upper part of left fibula, previously rated permanent partial, 15 percent, or \$15 per month, under Public, No. 2, Seventy-third Congress, 10 percent, or \$8 per month.

32. Gunshot wound back, moderately severe, with muscle hernia, injury to tenth or eleventh spinal nerve divisions, dorsal tenth and eleventh right, previously rated permanent partial, 34 percent, or \$34 per month, under Public, No. 2, Seventy-third Congress, 10 percent, or \$8 per month.

33. Gunshot wound right buttocks, left thigh, previously rated permanent partial, 28 percent, or \$28 per month, under Public, No. 2, Seventy-third Congress, 10 percent, or \$8 per month.

34. Amputation right leg, middle third; gunshot wound right forearm and left thigh; neuroma of the stump, previously rated permanent partial, 55 percent, or \$55 plus additional \$25, monthly rate of pay \$80, under Public, No. 2, Seventy-third Congress, permanent partial, 25 percent, or \$20 plus \$20, total rate of pay per month \$40.

35. Gunshot wound right knee with traumatic arthritis, previously rated permanent partial, 20 percent, or \$20 per month, under Public, No. 2, Seventy-third Congress, 10 percent, or \$8 per month.

36. Gunshot wound of left forearm with partial paralysis of left median nerve, previously rated 19 percent, or \$19 per month, under Public, No. 2, Seventy-third Congress, 10 percent, or \$8 per month.

37. Gunshot wound left thigh with partial paralysis of anterior crural nerve, previously rated permanent partial, 25 percent, or \$25 per month, under Public, No. 2, Seventy-third Congress, 10 percent, or \$8 per month.

38. Gunshot wound neck and left arm, partial paralysis ulnar nerve, previously rated 22 percent, or \$22 per month, under Public, No. 2, Seventy-third Congress, 10 percent, or \$8 per month.

39. Amputation right thigh, middle third with neuroma right thigh, traumatic neurosis, previously rated 81 percent, \$81 plus \$25 statutory award, monthly rate of pay per month \$106, under Public, No. 2, Seventy-third Congress, 50 percent, \$40 plus \$20 statutory award, monthly rate of pay \$60.

40. Gunshot wound left hand, amputation second finger left hand with ankylosis of third finger left hand, previously rated 31 percent or \$31 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

41. Gunshot wounds left chest, left arm, right leg with muscle hernia, previously rated 51 percent or \$51 per month; under Public, No. 2, Seventy-third Congress, 25 percent or \$20 per month.

42. Gunshot wound through and through left arm, fracture head of humerus through and through, injury to deltoid with chronic traumatic arthritis left shoulder, previously rated 25 percent or \$25 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

43. Gunshot wound and postoperative, right knee with synovitis and traumatic bursitis and arthritis, previously rated 50 percent or \$40 per month; under Public, No. 2, Seventy-third Congress, 25 percent or \$20 per month.

44. Multiple gunshot wound right chest, right neck, right shoulder and back with loss of muscle substance, previously rated permanent partial 25 percent or \$25 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

45. Gunshot wound left shoulder and back, previously rated permanent partial 30 percent or \$30 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

46. Gunshot wound right thigh with nerve injury and partial atrophy, previously rated 34 percent or \$34 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

47. Through and through gunshot wound left elbow with fracture, ankylosis of left elbow, previously rated 24 percent or \$24 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

48. Gunshot wound left hand, right thigh, previously rated permanent partial 28 percent or \$28 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

49. Gunshot wound right thigh, right buttock and left thigh, previously rated 40 percent or \$40 per month; under Public, No. 2, Seventy-third Congress, 25 percent or \$20 per month.

50. Gunshot wound right thigh and right arm, previously rated permanent partial 20 percent or \$20 per month; under Public, No. 2, Seventy-third Congress, 10 percent or \$8 per month.

Mr. ROBINSON of Indiana. Mr. President, I have just received a telegram from Col. Erskine B. Bassett, formerly colonel in the American Expeditionary Forces, Hopkingsville, Ky., reading as follows:

Howard Peacher, veteran, injured overseas, died here today, having been cruelly denied both hospitalization and compensation to save the credit of the United States.

What a hollow sound that phrase has today, "to maintain the credit of the United States", as if any nation could ever have any credit or any moral fiber that turned its back on its own defenders. A nation that will not deal generously with those who have shed their blood in its defense does not deserve to be defended. In order to do this terrific injustice to the defenders of the Nation the President of the United States sent that infamous measure here to us labeled "A bill to maintain the credit of the United States." It was of course misrepresentation of the worst hue. It was trickery and nothing less than that, because it had a sound with its weazle words that might somehow or other be attractive to the American people. Everybody knows now that it was deceit, pure and simple.

Mr. President, I have a letter from Mr. Roy E. Layton, a Spanish War veteran of Ohio. This discloses that in connection with the administration of the Economy Act, so called, a letter was sent to a lady out in St. Marys, Ohio, who has been deceased for 10 years, informing her that the Veterans' Administration have reviewed her pension claim and have allowed her \$20 a month, the pension having been originally allowed on the death of her son who was killed in action. The letter reads as follows:

WAPAKONETA, OHIO, May 29, 1933.

HON. ARTHUR R. ROBINSON,
United States Senator from Indiana,
Washington, D.C.

DEAR SENATOR: Enclosed find an exact copy of a letter from the Veterans' Administration dated June 1, 1933, and addressed to Mrs. Jonathan Stonerock, 501 Pine Street, St. Marys, Ohio, stating that her claim has been carefully reviewed and that she has been awarded a pension in the amount of \$20 monthly on account of the death of the veteran during war-time service.

Mrs. Jonathan Stonerock has been dead for nearly 10 years, viz, she died on August 28, 1923. At the time of her death she was receiving a monthly pension or compensation on account of the

death of her son during the World War and now she is again notified that she is entitled to a pension at reduced rates.

This seems to be a sample of the efficiency of the Veterans' Administration and hasty work based upon "careful review." Many veterans around here who served in the Philippine insurrection, and who were dangerously ill or seriously injured have received notice that their pensions have been entirely cut off before their affidavits could have possibly been reviewed and checked up. It looks as if someone in the Bureau of Pensions has made up their mind to cut them all off of the pension rolls, regardless of evidence that has been or may be submitted. In other words, there is no presumption whatever in their favor. If there are any veterans of the Spanish-American War who should receive a pension, they are those who served in the Philippine insurrection, in particular in the United States army of volunteers who underwent greater hardships and greater sufferings, and who contracted more serious diseases, and who were engaged in much actual warfare, whether you call them engagements or not, than any others perhaps who served in that war. I am not speaking for myself, as I was not one of them.

Thanking you for your efforts in behalf of the veterans, I remain,

Very truly yours,

ROY E. LAYTON,
Adjutant Wapakoneta Camp, No. 22, U.S.W.V.

Mr. President, there is enclosed with this letter to me a copy of a letter sent out over the signature of George E. Brown, director of compensation, to Mrs. Jonathan Stonerock. I shall not read the letter, but I ask to have it inserted in the RECORD at this point. I merely want to mention that the letter was received several days ago out in St. Marys, Ohio, by someone. It was addressed to a lady who has been dead for nearly 10 years. The letter is dated June 1. That is today. I received yesterday the original letter enclosing this copy of the letter from the Veterans' Administration. It must have been sent out from Washington a week ago, showing that the Veterans' Administration cannot wait for the date, June 1, does not wait for any evidence, but sends out a letter dated ahead of time to the mother of a deceased veteran, who herself has been deceased for the past 10 years. That is the way the Veterans' Administration is being handled under 1-man rule. One of the arguments advanced was that it would make for efficiency to place the Veterans' Administration in the hands of the President so as to improve efficiency of administration. Here is an example of their efficiency. They do not know who is alive and who is dead. I ask that the letter be inserted in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

VETERANS' ADMINISTRATION,
Washington, June 1, 1933.

Mrs. JONATHAN STONEROCK,
501 Pine Street, St. Marys, Ohio.

DEAR MADAM: A review of all claims in which payments of benefits were being made on March 20, 1933, was undertaken for the purpose of determining entitlement to benefits provided by Public, No. 2, Seventy-third Congress, entitled "An act to maintain the credit of the United States Government."

Your claim has been carefully reviewed in accordance with the provisions of the above-entitled act, and on the evidence of record in your case it has been determined that you are entitled to, and there is being approved in your favor, effective July 1, 1933, an award of pension in the amount of \$20 monthly, on account of the death of the veteran during war-time service.

Regulations promulgated pursuant to the provisions of Public, No. 2, Seventy-third Congress, provide that, except as to degree of disability, an application for review on appeal may be filed within 6 months from the date of this notice, or July 1, 1933, whichever is the later date. In the event you contemplate filing such an application, it is suggested that it be deferred until after July 1, 1933, when the condition of the work incident to the review of claims will permit of expedited action on applications of this character.

By direction.

GEORGE E. BROWN,
Director of Compensation.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Arkansas?

Mr. ROBINSON of Indiana. I yield.

Mr. ROBINSON of Arkansas. Does the Senator mean to imply by his last statement that the mistake to which he has referred is chargeable to the President or to the fact

that the President was given extraordinary authority? Does not the Senator know that the error occurred in the course of the administration of the Bureau, was an error committed by subordinates, and that in the very nature of things the President of the United States is not responsible for it? Does the Senator think it is a fair argument to present to this body or to anyone else, in criticism of the President, to say that someone in the Veterans' Administration wrote a letter to someone who has been dead quite a long time?

Mr. ROBINSON of Indiana. I am not saying who is to blame. I do not know.

Mr. ROBINSON of Arkansas. But the Senator did say who is to blame in his opinion.

Mr. ROBINSON of Indiana. I do blame the President for sending that bill here. It should never have been done. If it had not been for the so-called "economy bill"—

Mr. ROBINSON of Arkansas. It is not a question of sending the bill here. The complaint the Senator from Indiana is making is with reference to an error in the transmission of a letter to a person who has been deceased for 10 years. That is such a mistake as is not attributable to any act or power of the President nor could the President have taken precaution to prevent such a mistake.

Mr. ROBINSON of Indiana. No, Mr. President; but I suggest in all good humor to my very good friend from Arkansas—

Mr. ROBINSON of Arkansas. I am happy to learn that the Senator is in a good humor. I am, too! [Laughter.]

Mr. ROBINSON of Indiana. I never can remain in a very good humor when I think about this so-called "Economy Act." I suggest to my friend from Arkansas that this has to do with reductions under the President's order and in accordance with regulations which directly flow out of the so-called "Economy Act." This would not have occurred had it not been for the so-called "Economy Act", for which I suppose the President is glad to take the responsibility. I certainly should not myself; but if he does take the responsibility for initiating that legislation, then I am correct in saying that this is a direct byproduct of that legislation and he is responsible.

Mr. ROBINSON of Arkansas. Then, according to the Senator's statement, he is to blame for every error made by one of thousands of clerks in a department.

Mr. ROBINSON of Indiana. O, Mr. President, I suppose finally someone must take responsibility for those errors, and I imagine it is the head of the department, and over him the Chief Executive, in whom is vested complete power.

Mr. ROBINSON of Arkansas. I merely interrupted the Senator to ascertain if that was his viewpoint. The Senator has made clear to me what his opinion about the matter is; and I thank him for yielding.

AMBASSADOR TO ENGLAND—FOREIGN DEBTS

Mr. ROBINSON of Indiana. Mr. President, my own opinion is—and I think time will vindicate this judgment—that the President of the United States never can escape responsibility for the injustices that have come about as a result of the so-called "Economy Act."

Mr. President, while I am on my feet I desire to advert to another matter with reference to our new envoy in London, the Honorable Robert W. Bingham.

When the nomination of Mr. Bingham was sent to the Senate to be Ambassador to the Court of St. James's, information was placed in the hands of the Committee on Foreign Relations which indicated that Judge Bingham, during a temporary residence in England, had made statements derogatory to the United States. It was charged that Judge Bingham, while over there, in the course of a public address, had said that the failure of the Geneva Conference in 1927 was entirely due to the representatives of the United States. It was intimated that somehow or other their stupidity had resulted in the failure of that conference. It was suggested that they had not had a proper appreciation of

the needs of Great Britain. His speech was derogatory to his own people. That is the point.

Some of us were alarmed about those charges, especially with the war debts coming on for settlement, and the problem of disarmament appearing before the world; and it seemed that it might not be wise to send over there to represent this country one who was more favorable to Great Britain than he was to the United States.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ROBINSON of Indiana. In just a second I will yield.

So I took the responsibility of delaying final action by the committee for a period of some days until those charges could be investigated. As a result of the investigation that was made the Chairman of the Foreign Relations Committee, the distinguished Senator from Nevada [Mr. PITTMAN], assured the committee that Mr. Bingham himself had denied ever having made such statements or any such speech. On the strength of that denial, I think, the committee was reassured and voted for his confirmation, and he was subsequently confirmed by the Senate.

Now, Mr. President, it develops that evidently there must have been something in what was said before, because this new envoy, Mr. Bingham, scarcely gets to London until he makes another speech, this time undertaking to overturn the traditional policy of the United States against foreign entanglements which has existed since the days of the first President, General Washington.

I now yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I did not want to interrupt the Senator, nor did I want to take issue with him; but the question of war debts was mentioned in his remarks. As one who would like to see his own country get as much of the debts as it is possible to get, I am wondering how the debts can actually be paid in full in view of the fact that Great Britain has only \$714,000,000 in gold monetary stocks, and she owes us nearly \$4,000,000,000, and we will not let her pay in goods. I should be grateful if the Senator could show us how payment can be made.

Mr. ROBINSON of Indiana. Mr. President, I do not care to be diverted into a discussion of that subject at this time.

Mr. McCARRAN. Mr. President—

Mr. ROBINSON of Indiana. But as long as it has been raised, I will suggest to the Senator from Maryland—I have no desire not to discuss it—that in my judgment it could be paid easily. The installment amounts to an average of something under \$200,000,000 a year.

Mr. TYDINGS. About \$183,000,000 a year.

Mr. ROBINSON of Indiana. Something less than \$200,000,000 a year; and Great Britain has, or had a month or two ago, the biggest supply of gold in all her history. She has paid her debts before, presumably, and I think she could pay these installments without a bit of difficulty. I think I could convince the Senator from Maryland that she could pay the debt, and pay in gold, for that matter, without any difficulty whatever, since apparently she has had great good fortune in garnering together in the last year more gold than she ever had before in all her history. But, as I say, I do not care to go into that matter at this time.

Mr. TYDINGS. I did not want to interrupt the Senator, but my reason for making that interrogatory was that when Judge Bingham's remarks are read in full, I think it will be found that all he was attempting to do in that speech was to be candid; and I believe that an ambassador who is candid is the best ambassador we can have.

Mr. ROBINSON of Indiana. The Senator, of course, is entitled to his opinion, and he will permit me to hold mine.

Mr. McCARRAN. Mr. President—

The PRESIDING OFFICER (Mr. BARKLEY in the chair). Does the Senator from Indiana yield to the Senator from Nevada?

Mr. ROBINSON of Indiana. I do.

Mr. McCARRAN. I only wish to inquire of the Senator from Maryland, first, if his inquiry propounded to the Sen-

ator from Indiana is an opening wedge by which and from which we are to conclude that the administration favors the cancelation of foreign debts? Secondly, I desire to inquire if it is not true that England actually received this money from the people of this country; and why should they not pay it back?

Mr. TYDINGS. Of course, I have no authority to take the time of the Senator from Indiana, and I shall not do so. I did not say that we should cancel the debts; neither did I speak for the administration; but I shall be grateful to any genius upon this or any other floor who will show me how we can collect \$4,000,000,000 of debts from a country that has only \$700,000,000 of gold.

Mr. ROBINSON of Indiana. Mr. President, let me suggest right there that up to date Great Britain has paid her installments when she had, if I remember the figures rightly, no more than \$60,000,000 in gold after her installment was paid. If she could pay then, certainly she can pay with a gold stock of \$800,000,000.

Mr. TYDINGS. Let me say to the Senator that he is in error. I shall not interrupt him again, but I should like to clear up his mind of one fact.

There is only eleven and one half billion dollars of gold in all the world.

We have four billions of that. That leaves seven and a half billions. The war debts amount to ten and one half billions of dollars. If we can only get \$7,000,000,000, if we get all the gold in the world outside of the United States, how can our debtors pay ten and one half billion dollars of war debts?

Mr. ROBINSON of Indiana. The answer is perfectly obvious, and the answer lies in the truth of this statement—that up to date Great Britain has had no trouble in paying her installments with a tremendously lower gold stock than she has at present. So, if she could pay her honest indebtedness with a lesser supply of gold, why can she not pay her installment with two or three times as much gold as she ever had before?

Mr. TYDINGS. Will the Senator let me answer his question?

Mr. ROBINSON of Indiana. I do not wish to yield any further on that subject. I want to proceed with this discussion. That may or may not have much to do with Mr. Bingham.

Mr. McCARRAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Nevada?

Mr. ROBINSON of Indiana. Yes; I yield.

Mr. McCARRAN. I should like to inquire of both the Senator from Maryland and the Senator from Indiana if Great Britain had any particular trouble in borrowing that money from the United States and taking it out of the taxpayers of this country when she borrowed it.

Mr. ROBINSON of Indiana. That is true.

Mr. President, I should like to mention at this time, too, that when one Mr. Bullitt was running around over Europe from one chancellery to the next, from one country to another, no one in the Senate seemed to know who he was, and yet information was emanating from the points of contact he had made over there that he favored, and was speaking for President Roosevelt—then the President-elect—a reduction of the debt on a basis of 1 to 10, one tenth of the total amount to be finally paid. Then it was denied that he had anything whatever to do with President Roosevelt.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. ROBINSON of Indiana. However, it developed since that scarcely had the incoming President been inaugurated when this same mysterious Mr. Bullitt was placed in a responsible post in the State Department, apparently with no definite duties assigned him; and now, to the amazement of some of us, this same man, who was running over Europe apparently without any credentials just 3 months or 4 months ago, now becomes the executive officer of the American delegation to the Economic Conference in London. So

evidently Mr. Bullitt knew what he was doing back there in those days, and some of us who raised the question find now that perhaps our suspicions have been shown by recent developments to have been very well grounded.

I now yield to the Senator from Arkansas.

Mr. ROBINSON of Arkansas. Mr. President, with the courtesy of the Senator from Indiana, I merely desire to say that I do not believe there is any justification for the statement or the implication in the statement of the Senator from Indiana that the President favors the cancelation of the debts, or favors a settlement of them on the basis of one tenth of the amount due, or anything like that.

The President, necessarily, in the conduct of foreign relations, realizes the difficulties that are to be met in collecting the debts; but there is every indication that he is abiding by and carrying out, insofar as it can be done, the joint resolution of the Congress upon this subject.

I think the Senator from Indiana would accomplish a helpful end if he would recognize that fact. I do not believe it can be beneficial to the cause of the Government of the United States to assert on the floor of the Senate, in contravention of what I understand to be the facts, that the President favors any such arrangement as that to which the Senator has referred. I think it will embarrass him in his efforts to collect the debts, or in his efforts to carry on negotiations respecting resumption of payments.

Mr. ROBINSON of Indiana. Mr. President, I am glad to have the Senator's assurance that in his opinion the President does not favor cancelation or reduction of the debts. Of course the Senator will agree that many of the rumors and many of the reports that emanate from Europe are somewhat disconcerting, to say the least.

Mr. ROBINSON of Arkansas. Mr. President, with the Senator's permission—

Mr. ROBINSON of Indiana. I yield to the Senator.

Mr. ROBINSON of Arkansas. I should like to say that there is no intention on my part to try to define what will be the policy of the administration respecting debts should an impasse be reached relating to the collection of the debts. I have no authority to do that, and do not assume to say what recommendation, if any, the President will make. I do know, as a matter of fact, that the President has not sought to compromise the matter; that he has not disregarded the existing law on the subject.

Mr. ROBINSON of Indiana. Mr. President, yesterday there appeared in the Washington Herald an article, a Universal Service special cable, by Thomas C. Watson, under this caption:

United States Isolation Ended, Bingham Tells Britain. Envoy Admits Idea of Founders Is Abandoned.

I want to quote just 2 or 3 sentences from the speech Ambassador Bingham is reported to have made over there, with the Prince of Wales beside him to cheer him on.

Ambassador Bingham said of the President:

"With the full support of the overwhelming majority of people whose leader he is, he has laid down what all other nations may rely upon implicitly so far as all our foreign relations are concerned."

Referring to United States Ambassador Norman H. Davis' statement at Geneva as meaning the United States reversal of a traditional policy of freedom from European entanglements, Ambassador Bingham declared:

"That marked the definite departure from certain principles maintained by the United States since the Nation was founded."

"It is a great step forward toward the maintenance of the peace of the world. It does contain certain reservations, but a similar reservation is retained by the British Government in the Locarno Treaty."

Then Ambassador Bingham proceeded as follows:

From my standpoint, I do not believe there is a 10-year-old child of average intelligence anywhere in the world who could fall in the event of war to select instantly the aggressor.

Mr. President, it is amazing that the American Ambassador could make such a statement as that—if he is correctly quoted—because historians today are undecided as to who was the aggressor in the World War, and for the past 15 years the question of war guilt has been raging and nobody presumes to know who was the aggressor. Yet, Mr. Bing-

ham undertakes to say that we have overturned our traditional policy, that we are now going to enter a consultative pact to define and determine the aggressor, and that means, according to Norman H. Davis, the roaming Ambassador abroad, that it will be necessary for us to agree with the European nations to uphold artificial boundaries there, the status quo as it came out of the infamous treaty which was the product of the Versailles Conference, a treaty which we refused to ratify. We preferred to make a separate peace with the Central Powers.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ROBINSON of Indiana. I yield.

Mr. LONG. Was the speech about which the Senator is complaining an after-dinner speech of the new Ambassador, Mr. Bingham? It was an after-dinner speech, was it not?

Mr. ROBINSON of Indiana. This was a dinner speech from which I am quoting—a speech delivered yesterday.

Mr. LONG. Of Mr. Bingham?

Mr. ROBINSON of Indiana. I will read this to the Senate:

Ambassador Bingham, addressing the Pilgrims Society at a Memorial Day dinner in his honor attended by the Prince of Wales, Foreign Secretary Sir John Simon, War Secretary Lord Hailsham, and a host of other officials and diplomats, stressed "the changed attitude on several subjects of the people of the United States."

I send the article to the desk at this point and ask that it may be incorporated in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Herald, May 31, 1933]

UNITED STATES ISOLATION ENDED, BINGHAM TELLS BRITAIN—ENVOY ADMITS IDEA OF FOUNDERS IS ABANDONED

By Thomas C. Watson

LONDON, May 30.—The foreign policy of the Roosevelt administration, as exemplified by America's expressions at Geneva of willingness to join a "consultative pact", marks America's abandonment of certain policies laid down by the Nation's founders, United States Ambassador Robert W. Bingham said tonight.

Ambassador Bingham, addressing the Pilgrims Society at a Memorial Day dinner in his honor attended by the Prince of Wales, Foreign Secretary Sir John Simon, War Secretary Lord Hailsham, and a host of other officials and diplomats, stressed "the changed attitude on several subjects of the people of the United States."

ADMITS UNITED STATES REVERSAL

Reiterating the "good neighbor" policy expressed by President Roosevelt in his inaugural address, Ambassador Bingham said of the President:

"With the full support of the overwhelming majority of people whose leader he is, he has laid down what all other nations may rely upon implicitly as far as all our foreign relations are concerned."

Referring to United States Ambassador Norman H. Davis' statements at Geneva as meaning the United States reversal of a traditional policy of freedom from European entanglements, Ambassador Bingham declared:

"That marked the definite departure from certain principles maintained by the United States since the Nation was founded."

"It is a great step forward toward maintenance of the peace of the world. It does contain certain reservations, but a similar reservation is retained by the British Government in the Locarno Treaty."

CITES CONGRESS ACTION

Remarking upon hesitancy of the Geneva Disarmament Conference in fixing a definition for an aggressor nation and President Roosevelt's "definition" as the nation whose troops are found in foreign countries in violation of treaties, Ambassador Bingham said:

"From my standpoint, I do not believe there is a 10-year-old child of average intelligence anywhere in the world who could fall in the event of war to select instantly the aggressor."

Commenting upon Europe's view that the President is not empowered to commit the United States to any policy without congressional assent, Ambassador Bingham said:

"It is necessary to realize that President Roosevelt has loyal and enthusiastic support in Congress and among the people to a degree unequaled in our history since George Washington."

"NO TIME FOR TRADING

"This is no time for mere trading and bargaining. There is no time for any thought except what shall we do to be saved."

"I believe that hope for this stricken world rests largely upon understanding, cooperation, and confidence among the English-speaking peoples."

Ambassador Bingham cited the "incredible" recovery of America economically since March 4. His speech was the first he has made in public since arriving. The dinner was held in the grand hall of the Hotel Victoria. Among the 300 guests were many prominent Mayfair hostesses.

Before the dinner Mrs. Bingham and Chargé d'Affaires Ray Atherton placed a wreath on the statue of Abraham Lincoln in Parliament Square. American legionnaires took part in Memorial Day ceremonies by placing a wreath on the Cenotaph, Britain's war memorial.

Mr. LONG. Mr. President, does not the Senator think that in gaging the value to be given to this dinner speech we ought to find out at what point of the dinner it was given, also the menu and what other things were served?

Mr. ROBINSON of Indiana. That might be an important thing to ascertain.

Mr. LONG. With the Prince of Wales sitting there at his side.

Mr. ROBINSON of Indiana. And Sir John Simon.

Mr. LONG. And Sir John Simon—leaving this country and going over to a country where they never heard of Volstead, having a nice banquet, probably going out to Buckingham Palace late in the evening. We cannot tell what a man is likely to say under those circumstances. [Laughter.]

Mr. ROBINSON of Indiana. Mr. President, it is my judgment that the policy laid down by the first President of the United States, George Washington, admonishing against entangling foreign alliances, will continue to be the policy of this country long years after Ambassador Bingham is dead and gone. The point is that it does not help our international relations any to have an Ambassador talking wildly over there, as if he could overturn these policies, which are as old as the country, by mere words. Therefore he ought to be recalled and brought back to the United States, where at least people will not pay so much attention to what he says.

Mr. President, I want to refer again to Mr. Norman H. Davis. It seems, from the Morgan inquiry, that he is on one preferred list after another.

Not only is he heavily indebted to J. P. Morgan & Co., to the House of Morgan, but Mr. Davis is one of the pets of Morgan, on the preferred list, and therefore he must, if he is overseas negotiating for the United States, pay some attention to the House of Morgan. If he is representing the House of Morgan over there, the quicker he is brought back to this country the better, and I hope that will be at an early date.

Mr. President, before I resume my seat I want to state that the Morgan influence was present at the writing of the peace treaty at Versailles. That developed in a hearing before a Senate committee as a result of testimony of the late Mr. Davison, at that time one of the Morgan partners. Mr. Thomas W. Lamont, another one of the partners, was representing the United States Treasury at Versailles at the time the treaty was written.

I have here a copy of the report of the hearings before the Committee on Foreign Relations, questions asked by the distinguished Senator from Idaho [Mr. BORAH], and the responses of Mr. Davison.

The substance of the examination and of the responses to the questions was simply this, that Mr. Davison felt that it was perfectly proper for Mr. Lamont to furnish the House of Morgan with a copy of the peace treaty before the Senate of the United States had a copy, or before the people of the United States could know the truth, because of the fact, largely, that they were international bankers, and had to deal with many of the governments of the world.

The hand of Morgan is just as thoroughly potent today in the affairs of this Government, apparently, as it was then. We have Mr. Norman H. Davis, one of the pets of the House of Morgan, heavily obligated by loans to that house, representing Mr. Roosevelt abroad, and we have the Secretary of the Treasury, Mr. Woodin, also close to the House of Morgan, running the Treasury of the United States.

I am sure the people of this country would feel far better, and have tremendously greater confidence in the Government of the United States, if both those gentlemen were separated from the public service.

INDEPENDENT OFFICES APPROPRIATION

The Senate resumed the consideration of the bill (H.R. 5389) making appropriations for the Executive Office and

sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1934, and for other purposes.

Mr. TRAMMELL. Mr. President, I have on the desk an amendment which I have proposed, and I should like to suggest the following modifications, on line 6, after the word "compensation", to insert the words "or the pension"; on line 7, after the word "compensation", to add the words "or pension or may hereafter be granted compensation or pension"; on line 8 to strike out "10" and insert "15"; on line 9, after the words "per centum" to insert the words "below the compensation or pension to which they were entitled on March 20, 1933."

I should be glad to have the Secretary read the amendment, as modified.

The PRESIDING OFFICER. The clerk will read the amendment, as modified.

The legislative clerk read as follows:

On page 61, between lines 6 and 7, add a new section, as follows:

"SEC. 21. That regardless of any provisions embraced in title I, of an act to maintain the credit of the United States Government, being Public, No. 2, Seventy-third Congress, the compensation or the pension of those veterans who on March 20, 1933, were drawing compensation or pension or may hereafter be granted compensation or pension on account of service-connected disability, shall not be reduced more than 15 percent below the compensation or pension to which they were entitled on March 20, 1933. In any review of a veteran's case by the Veterans' Administration with a view to reducing the rating of or change the cause of his disability, the burden of proof shall rest upon the Government."

Mr. TYDINGS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Maryland?

Mr. TRAMMELL. I yield.

Mr. TYDINGS. Mr. President, just for the moment I wish to comment upon the international situation as touched upon briefly by the Senator from Indiana.

In my humble judgment, the present depression is worldwide, and, in my humble judgment, one of the chief factors in the depression is the war debt, the unsettled, the evaded, war-debt issue; and until the statesmen and politicians of the various parliaments of the world make up their minds to tell the truth, unpopular though it may be, and to face some of the issues in the equation, the world will remain in a depression, or part of a depression, because a large part of it is due to the war debt.

What are the essential facts? First of all, about ten and a half billion dollars is owed to the Government of the United States by our allies in the last war. There is only eleven and a half billion dollars of gold in the entire world. We already have over four billion of that eleven and a half billion. That leaves seven and a half billion of gold in all the government treasuries of the world outside of our own; and I would be grateful indeed if someone would tell me how seven and a half billion dollars' worth of gold can be used to pay in gold ten and a half billion dollars' worth of debts.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. WHEELER. Is not that about the best reason in the world why there should be an effort to remonetize silver, instead of the attempt being made to keep us on the gold standard?

Mr. TYDINGS. The Senator knows I am in sympathy, in a basic way, if not in method, with what he says. England has about \$750,000,000 in gold and \$250,000,000 in silver. She has monetary stocks of gold and silver together of about a billion dollars, and she owes us \$4,000,000,000 worth of debts. If anybody can show me or show England or show the United States or show the world how a billion dollars' worth of money can pay \$4,000,000,000 worth of debts in money, I would be grateful to have that explanation.

Mr. TRAMMELL. Mr. President, I did not expect to yield for a long debate. If I may have the floor after we get through with this controversy, I will yield further.

Mr. TYDINGS. Mr. President, the Senator will have no difficulty in getting the floor.

Mr. TRAMMELL. I should like to get recognition to talk about a matter of very great importance to the ex-service men of this country.

Mr. TYDINGS. Mr. President—

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. McCARRAN. I just want to make this passing observation, that if Ramsay MacDonald were here and making his most powerful argument, it probably would not be more cogent than that which has just been offered by the Senator from Maryland.

Mr. TYDINGS. Mr. President, if the Senator from Nevada will answer the question which I propounded a while ago, he will find that I will go along with him to collect the last dollar, if he will show me how we can collect it; but, Mr. President, we know, if we are going to be honest about this thing and quit "buncoing" the American people, that foreign governments cannot pay ten and a half billion dollars' worth of war debts in gold with \$7,000,000,000 of gold.

Mr. ROBINSON of Indiana. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Indiana?

Mr. TYDINGS. Yes; I yield.

Mr. ROBINSON of Indiana. Let me suggest to the Senator that Great Britain has paid the installments of her debt up to date in gold, and with a tremendously lower stock of gold on hand than at present.

Mr. TYDINGS. I do not agree with the Senator.

Mr. ROBINSON of Indiana. Then, how has she been paying her debt up to date?

Mr. TYDINGS. Let us take the Senator's own argument—

Mr. ROBINSON of Indiana. It is not an argument; I am merely asking a question. The Senator will agree that Great Britain's installments of the debt have been paid in gold?

Mr. TYDINGS. How does the Senator think they have been paid?

Mr. ROBINSON of Indiana. They have been paid in gold.

Mr. TYDINGS. How does the Senator think they have been paid?

Mr. ROBINSON of Indiana. The Senator and I will agree, I think, that so far they have been paid with gold.

Mr. TYDINGS. With ear-marked gold! Why, including all the gold either in England or available to the British Government in her entire monetary system—

Mr. ROBINSON of Indiana. She has now about \$800,000,000 of gold on hand.

Mr. TYDINGS. She has \$750,000,000.

Mr. ROBINSON of Indiana. The report I saw a few days ago—perhaps a month ago—was to the effect that Great Britain then had something like \$800,000,000 in gold stocks, which was the top mark in all the history of Great Britain so far as her gold supply was concerned. If that be true, if she could pay when she was poor and had less gold, how does it happen that she now suddenly cannot pay her installments of the debt, with a larger supply of gold than she has ever had before?

Mr. TYDINGS. The Senator has not answered my question; he is only asking me another one. I want to ask him if Great Britain has \$800,000,000 in gold, where she is going to get the other \$3,000,000,000 in gold with which to pay the United States?

Mr. ROBINSON of Indiana. She will get it from year to year.

Mr. TYDINGS. How?

Mr. ROBINSON of Indiana. It comes about through exchange. We have a money circulation here much greater than our gold supply, though all our currency has been backed by gold.

Mr. TYDINGS. I have asked the Senator the specific question where Great Britain was going to get the other \$3,000,000,000 worth of gold, and he cannot tell me.

Mr. ROBINSON of Indiana. It is in exchange which is constantly taking place.

Mr. TYDINGS. How? Does the Senator mean by Great Britain selling us more goods than we sell to her?

Mr. ROBINSON of Indiana. No, Mr. President; but the gold supply is redistributed year after year.

Mr. TYDINGS. The Senator is wrong.

Mr. ROBINSON of Indiana. The question seems to me to be perfectly primary and elementary. Great Britain is paying us now much less than \$200,000,000 a year, and she has a gold supply of approximately \$800,000,000.

Mr. TYDINGS. I thought the Senator was going to tell me that Great Britain has built up her present supply of gold by selling more to other countries than she has bought from them, but we have sold to Great Britain since 1921 \$6,000,000,000 more of American merchandise than we have bought of British merchandise. Great Britain has paid the present value of her war debt to us twice since 1921, in the payment of her unfavorable balances of trade.

Mr. ROBINSON of Indiana. I rest the case on the proposition that when Great Britain had a very small supply of gold, the lowest supply, perhaps, she had ever had, she still managed to pay her installments to the United States. Now, when her gold supply is greater than it has ever been in all her history, I refuse to believe that somehow or other it will be exhausted to such an extent by paying her honest obligation this year that next year she will not have any left.

Mr. TYDINGS. Without meaning any reflection on the Senator, he puts me in mind of the man who is in debt very heavily and cannot pay his way out, and who says to his creditor, "I am going to pay you", and the creditor asks, "How?" And the debtor says, "I do not know, but somehow or other I am going to pay you."

Mr. McCARRAN. Mr. President—

Mr. TYDINGS. I yield to the Senator from Nevada.

Mr. McCARRAN. There are two ways out, let me say in answer to the Senator's question: By legislation we have afforded Great Britain the opportunity to pay in silver to the extent of 200,000,000 ounces; and, secondly, facetiously, perchance, I might say that Great Britain might pay from the income taxes which she takes from our capitalists, as it has been disclosed she does by recent investigations.

Mr. TYDINGS. I am very glad the Senator from Nevada has brought up the question of the income tax, because it is a notorious fact that income taxes in Great Britain are five times, on many incomes, as high as are income taxes in the United States.

Mr. McCARRAN. The Senator will admit that they collect them over there, but such taxes are dodged here.

Mr. TYDINGS. Yes; but even with the collection of the income taxes the Senator from Nevada cannot show, nor can any other man show, how Great Britain can increase her gold stock from \$800,000,000 to \$3,000,000,000 and more.

Mr. McCARRAN. When we open the gate for them to pay with legitimate money, why do they not pay? By an act passed by the Congress only a few days ago we gave them the avenue to pay. Why now open up the gates by which, undoubtedly, the administration proposes through the commission it has sent abroad to cancel the debts?

Mr. TYDINGS. Does not the Senator from Nevada know that Great Britain has been paying in gold? Why does the Senator assume, therefore, that Great Britain will not continue to pay?

Mr. McCARRAN. Then, why does the Senator from Maryland try to open the avenue by which she will not have to pay?

Mr. TYDINGS. No; I am simply facing the ultimate which we are all going to face in this Chamber in the next 6 years. We are going to face the stark realities on this debt question. We are going some day to tell the American people the truth about it; we are going some day to have to stand up and vote upon it. I, for one, am just as anxious as is anybody else to have the Government of the United States get every dollar it can, but what I am asking is how is the Government going to get the money?

Mr. ROBINSON of Indiana and Mr. McCARRAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Maryland yield; and if so, to whom?

Mr. TYDINGS. I yield first to the Senator from Indiana.

Mr. ROBINSON of Indiana. I should like to make just this observation: One would think to hear the Senator talk on the subject that he had an idea that Great Britain had to raise \$4,000,000,000 tomorrow. As a matter of fact, she has 62 years in which to make the total payment, so that it can be made in small installments. Furthermore, Mr. President, the rate of interest she is paying is only $3\frac{1}{2}$ percent, and while Great Britain will be paying nothing on the principal, but just $3\frac{1}{2}$ percent on her indebtedness for a period of 62 years, during all that time the American people will be paying above 4 percent, or an average of 4.7 percent, as I remember, on the Liberty bonds; and if Great Britain will just pay that $3\frac{1}{2}$ -percent interest on her indebtedness that will help us to pay the 4.7-percent interest for a period of 62 years, and her entire obligation will then be discharged. Does not the Senator feel that he ought to say something for the American people who have to pay the interest on the bonds?

Mr. TYDINGS. Oh, Mr. President, without any reflection upon the Senator from Indiana, what he is saying about my saying something for the American people is pure demagoguery. If the Senator can show that Great Britain either now or in the next 62 years can add to her gold stock sufficiently to build up \$4,000,000,000 worth of gold, when there are only seven and a half billion left in all the world outside of the United States, I will be under very great obligations to him.

Mr. ROBINSON of Indiana. I agree with the Senator that for anybody to say a word for the American people is demagoguery.

Mr. TYDINGS. No, I did not say that.

Mr. ROBINSON of Indiana. But if he speaks for the rest of the world or says a word for Great Britain and helps Great Britain "get by" without paying a portion of the interest which the American people must pay, any way, on their enormous indebtedness, then, he is broad-minded. But, Mr. President, the American people must not only pay 4.7-percent interest on the British debt, but we must also pay the principal. How are the American people to get the money with which to pay that debt? If the Senator feels that Great Britain should be spared and that Great Britain cannot even get $3\frac{1}{2}$ -percent interest with which to pay her debt over a period of 62 years, I am wondering how the American people can stagger along and pay 4.7-percent interest and the principal besides.

Mr. TYDINGS. What I want to bring out—and I ask the attention of the Senator from Indiana—is that the only way I know of that a nation can add to its gold stock is to sell some other nation more goods than it buys, so that the favorable balance in trade, payable in gold, will bring gold to the country, or that the residents of one country will go into the foreign country and expend exchange for pleasure, or that service will be rendered equivalent to goods or money. Great Britain cannot pay us in goods because the tariff will not permit it. As a matter of fact, as I said before, Great Britain has bought over \$6,000,000,000 more of our merchandise since 1921 than we have bought of Great Britain's merchandise. In other words, since then, in unfavorable trade balances, she has paid the present value of the war debt twice.

Mr. ROBINSON of Indiana. Mr. President—

Mr. TYDINGS. Just a moment. If we are not going to let Great Britain pay in goods, and if we are not going to let her pay in services, and she had not the gold, what I am asking the Senator from Indiana is, where is she going to get the gold with which to pay her \$4,000,000,000 war debt?

Mr. ROBINSON of Indiana. I assume it all boils down to this: If I understand the Senator correctly, he favors canceling the British debt?

Mr. TYDINGS. I do not favor canceling the British debt at all.

Mr. ROBINSON of Indiana. But how can it be paid?

Mr. TYDINGS. But what I do favor is, if we are not going to get the money, to say so; and when I know we are not going to get the money, not to stand up here and insist on payment in full that cannot be made. In order that there may be no misunderstanding, I will give my position on the war-debt question. I favor a lump-sum settlement now, in 1933, of as much as we can get, and good-bye to the debt question, because the Senator from Indiana, who constantly tells us to keep out of European entanglements—and I am not out of accord with that sentiment—and daily shows that there might be another war over there, must know that if there should be another war in Europe, we would not get any of the money anyway; it will have gone for good. I should like to take all I can get now, wind up the debt settlement, revive trade, and start the world going again, instead of having all the countries of the world locked up, as they are now, so that a nation such as ours, which since 1893 has sold the world \$35,000,000,000 more of its products than it has bought from the world, may again find adequate foreign markets, and so that our farmers, our workers, and our railroad men may be employed instead of being members of the army of the unemployed.

Mr. ROBINSON of Indiana. The Senator takes the same position, I assume, with reference to the French debt and all the other debtor nations?

Mr. TYDINGS. Absolutely; I would settle every one of the debts now through a lump-sum settlement. I would deal with each nation separately. The rate of settlement for one nation would not necessarily be the rate of settlement for another. All the circumstances in each case should be weighed.

Mr. ROBINSON of Indiana. If they have not the money to pay now—and the Senator says cannot pay—it finally amounts to this, the Senator favors cancellation?

Mr. TYDINGS. It comes down to this, that, according to the Senator's own argument, if there were a new war in Europe; a bird in hand is worth ten hundred in the bush; and if the dangers which the Senator daily pictures as to what is likely to occur in Europe are one one-hundredth of one one-hundredth of one one-hundredth of one-thousandth of 1 percent as real as he seems to think, we will be a whole lot of money in pocket if we do settle the debts now and have them over with.

Mr. ROBINSON of Indiana. Mr. President, may I suggest to the Senator that it did occur in 1917; we did get in the war; and what I am hoping now is that, in spite of blundering diplomacy, we will not get in again.

Mr. LONG. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Louisiana?

Mr. TYDINGS. Just a minute; I cannot yield now. I remember 1916 very well. I remember when the then President of the United States, Mr. Wilson, was writing notes across the water every time something happened over there; when our rights were invaded, there was another note; and there were a lot of people in this country who said, "Why does he not stop writing notes? If Theodore Roosevelt were in the White House, he would not be writing notes."

Many people said that to me almost every morning; but I noticed when the President quit writing notes, when we really went to war, that many of the gentlemen who made these criticisms were no place to be found in the Army of the United States. They were tired of notes; they wanted action; Mr. Wilson was criticized as being a pacifist. I did not want the war; I was in favor of his notes; I wish he had written them until he ran out of writing paper. I could not see any value in the war, but I saw that we were likely to get into it, in spite of everything. However, we did not go into the war to save France or England or Italy; we went into the war because we considered our honor and our property and the rights of our nationals were being infringed upon; we declared war very formally; and from the minute we went into that war it was our war just as much as it was the war of any other country.

What happened then? It took us a year to get 300,000 men across the water, few of whom saw active service in that time and few of whom were casualties during the first year of the war, and during that time our allies, by the hundreds of thousands in the British, French, Belgian, and Italian Armies, died on the battlefield, holding back our enemy as much as their own.

Then what happened? They said they were running short of supplies and we let them have the money, about \$10,500,000,000. Did they take the money out of the country? Of course they did not take it out of the country. Much of it was put on deposit right here in the United States, where it was used to buy shells and munitions and clothing and food which we furnished over there while they were holding the front and losing their men by the hundreds of thousands while we were training back here in the training camps.

Mr. ROBINSON of Indiana. Mr. President—

Mr. TYDINGS. Just a moment. I have not yet finished painting this picture.

Now we come, after the war is over—our war, not only their war—and ask for payment of 100 cents on the dollar. Let us switch the situation around for a moment and see how we would view the matter from their angle. Let us suppose that nation X, out beyond the Pacific, and our own country are engaged in war, and we have been fighting for 3 years. Let us assume we are getting the worst of it. Great Britain comes into the war after 3 years because of some incident, but she has not an army ready. While our troops are entrenched on the fields of Kansas, dying by hundreds of thousands for a year before the British Army can be transported over here, we borrow from Great Britain, not money—because the money did not go over to England or France or Italy in the World War—but we borrow credit to the extent of \$10,000,000,000 for clothing and shells and munitions with which to fight the British war as well as the American war against nation X.

If that were the case, I wonder if the Senator from Indiana would not be on the floor of the Senate at this hour saying, "Think of it! Our men, our ex-service men, shed their blood upon the fields of Kansas in the war with nation X, held the battle lines with their breasts bared while their women and children were saddened at home, through one long year, while Great Britain, in the same war, was getting ready, and Great Britain loaned us \$10,000,000,000 worth of food and clothing and supplies in the same war, and now, after it is all over, she asks us to forget the loss of our men, and asks only to pay the bond, to pay 100 cents on the dollar."

Mr. President, the Senator from Indiana would say, "Has that nation no heart? Has it no conscience? Has it no humanity? When our boys were holding the front in Kansas in this war with nation X, dying by the hundreds of thousands, they were only getting ready over there in Britain, were contributing food and munitions and clothing, and now, when it is all over, Great Britain asks us to pay in full 100 cents on the dollar."

Mr. ROBINSON of Indiana. Mr. President—

Mr. TYDINGS. I yield to the Senator from Indiana.

Mr. ROBINSON of Indiana. I applaud the Senator's enthusiasm and his eloquence.

Mr. TYDINGS. No; it is only a statement of facts. There is no enthusiasm about it.

Mr. ROBINSON of Indiana. I was just thinking, as the Senator spoke so eloquently, what a pity it is that his speech could not be made in the French Chamber of Deputies or in the English Parliament.

Mr. TYDINGS. O Mr. President, there is nothing holding this world back like criticizing other governments. That is one of the things that is wrong today—the failure of men in the parliaments of the world to blame their own government where blame is often rightfully due, and not always the other fellow's government, because sometimes all governments like all individuals are in the wrong. The man who is serving the world in this hour of depression is ready to call his government when he thinks his government is wrong. I have no use at all for the man who thinks the

other government is always wrong and his own government is always right. Governments are made up of human beings and none of them has a patent on rectitude.

Mr. BONE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Washington.

Mr. BONE. Is not the Senator aware that a great many men were sent to prison during the war for expressions of that kind?

Mr. TYDINGS. What kind?

Mr. BONE. For saying they did not agree with their own government.

Mr. TYDINGS. Yes.

Mr. BONE. Had the Senator expressed that opinion in 1917, he might have been sorry.

Mr. TYDINGS. I did express it in 1917, and I will express it again and again, as long as I live.

Mr. BONE. I am not out of harmony with the Senator.

Mr. TYDINGS. I understand; nor am I out of harmony with the Senator from Washington. I may be wrong about it, and if I am I will be the first to admit it; but so far as I know there has been no man able to say, with only \$11,500,000,000 worth of gold in the world, with our own Government in possession of over one third of it, with \$10,500,000,000 worth of war debts owing and payable in gold, how the \$10,500,000,000 can be paid out of the remaining \$7,000,000,000 worth of gold.

Mr. McCARRAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Nevada?

Mr. TYDINGS. I yield.

Mr. McCARRAN. The speech made by the Senator from Maryland brings back to mind the propaganda that prevailed in this country and was broadcast here under British dominance and under British money before the war was declared. It is the same stuff we listened to before we went into the war. It is regrettable now that we must listen to it again when they want to cancel their debts. Apparently, these views come from the administration as the first shot toward a cancellation that will never, in my judgment, be approved by the Senate.

Mr. TYDINGS. Mr. President, I shall have to interrupt the Senator long enough to say that I do not speak for the administration. I have never discussed this matter with any member of the administration. I am speaking here in my own individual right and in no other capacity, directly or indirectly; and, thank God, I am speaking what I honestly believe to be the truth.

Mr. LONG. Mr. President, will the Senator yield to me?

Mr. TYDINGS. I yield to the Senator from Louisiana.

Mr. LONG. With the powerful minds in the Senate unable to agree on this question, the lesser minds are indeed in serious difficulty at this time.

Mr. TYDINGS. Mr. President, I did not want to enter upon the discussion of an issue which is not before the Senate, and only because it was mentioned by the Senator from Indiana did I attempt to reply at all. I leave this prophecy with the Senate. We may all say we expect to be paid in full. We may never accept the lump-sum settlement. We may insist on payment of these debts to the last dollar. But some day, perhaps within the next several years, we are going to have to face the grim reality of the situation; and I am going to await the suggested solutions when stark facts force a decision upon us.

Mr. TRAMMELL. Mr. President, I do not propose to enter into the controversy in regard to foreign debts. I think there are matters at this time of a good deal more interest to those who were vitally concerned in the war as fighters and defenders of their country than a discussion of the foreign debts owing to the United States.

I am not one who has tried to encourage Great Britain, France, or any of our other foreign debtors in the thought or to argue that we are ready and willing to offer a settlement of compromise or cancellation of their debts. I have entertained the view that the best way for us to collect those debts is to say that we expect them to be paid in full. They owe us the money. The money was raised by

the American people and we expect them to pay the debts. I believe that policy would have a more wholesome effect upon our foreign debtors than a policy of telling them that we know they cannot pay.

When my good friend from Maryland and others advocate this soft road for our foreign debtors, I am reminded of a little incident in my younger days. Probably some other Senators may have had a similar experience. When I was a young fellow, working as a traveling salesman, I went into a little country hotel about noontime one day. When I registered there was no one there except a small boy about 10 or 12 years of age. I said, "Where is your father?" He said, "He is down at the store. We run the store and we run the hotel, too." I said, "What is the price of dinner?" He said, "If you are not a traveling man, it is 75 cents. If you are a traveling man, it is 50 cents." I said, "Of course, under those circumstances, I must be a traveling man."

I imagine that our foreign debtors, when they hear of Americans who are to have something to do with the settlement of the debt question saying that they think the European nations cannot pay, and then proceeding to detail why they cannot, at least get some cheer and some hope from that kind of utterance. I would rather take the attitude that we expect them to pay in full. That is my position in the matter. I think we have made sufficient sacrifice and sufficient reduction to our foreign debtors.

I am not in favor of trying to palliate them or encourage them in the thought that they are going to get cancellation or even reduction.

Why, take the case of France. They plead inability to pay even interest of \$19,000,000, and yet in the press, a couple of weeks ago, France had agreed upon an expenditure of more than \$500,000,000 for military purposes for next year. Why not 19 millions less, if necessary, of their military establishment and the use of this sum to pay an honest debt to America?

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Ohio?

Mr. TRAMMELL. I yield.

Mr. FESS. The argument is constantly being made that the foreign governments cannot pay. I saw a marshaling of figures the other day that gave the amount of money that is paid by our own country or our own citizens to the people of Europe. Take any one of the countries that are debtors of ours, whether it be Great Britain or France or Italy. The amount of money that goes to them from the citizens of this country is something like three or four times the annual debt payment required under the settlement plan.

This money comes to them from such sources as tourists, immigrant remittances, charges on marine carrying, and the triangular transactions where we buy from South America and pay money and then South America sells to Great Britain or to France, so that the trade becomes a triangular affair. From these sources, every dollar of which comes from the United States, these countries could pay four times over the annual charge and never take a single dollar out of their treasury that does not come from the United States itself.

Mr. TRAMMELL. I heartily agree with the Senator; and I think if we had not so many people here in America encouraging the idea that there is going to be a cancellation or modification of debts, there would not now be such persistent effort on the part of these foreigners to get us to forgive the debts entirely, or to make a very substantial reduction in addition to the reduction we made when we made the debt-adjustment settlements, beginning in 1923, when we forgave them about half or more of the debts that they owed us at that time. I will say I voted against these adjustments because I thought our country was making too much of a concession.

My point is I am against the idea of a reduction or cancellation with our foreign debtors. I think they ought to do their honorable duty and pay these debts and keep up the interests, and that they should be making a diligent effort to do that instead of trying in every way possible to avoid

their obligations and to persuade the American officials that they should forgive these debts, and then make the taxpayers of America keep on and keep on paying the money which was raised from the people of America to make these loans to foreign nations.

I did not mean to drift on this foreign-debt subject; but it is my purpose to speak more at length in regard to the pending amendment offered by me.

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield for just one observation?

Mr. TRAMMELL. I yield; but I hope the Senator will make it brief. He has spoken a good deal already on this subject. I always listen with interest to him, but I want to discuss the amendment.

Mr. ROBINSON of Indiana. I think the Senator is quite right. I simply want to agree with the Senator in his statement that if the foreign debtors do not pay these debts, the American people will have to do so.

Mr. TRAMMELL. Certainly; that is the inevitable.

Mr. FESS. Mr. President, will the Senator yield to me for just one moment?

Mr. TRAMMELL. Gladly.

Mr. FESS. I do not want to be understood as being opposed to any sort of an adjustment. That is, I want it to be understood that I would be willing to have the matter taken up for discussion if I could be assured that the efforts to discuss this problem are not designed to lead to cancellation. That is what I am afraid of. I should not object to having matters reopened and having the whole subject studied; but my suspicion is that all of this effort is to lead ultimately to cancellation. For that reason I am very much disturbed about all the suggestions of international conferences opening the discussion of a question like this.

Mr. TRAMMELL. Mr. President, I dislike always to propose an amendment to a measure that is not really germane to the contents of the bill which is being considered; but I think the emergency today thoroughly justifies the presentation of the amendment now before the Senate.

I know, from expressions upon the floor of the Senate yesterday and from statements I have heard in private conversation with different Senators, that at least 95 percent of the Members of this body are in favor of remedying the condition which has brought such abuse and such unreasonable and unexpected treatment to the veterans of this country in the name of the so-called "Economy Act."

I have read the Economy Act carefully within the past day or two; and, while it contains provisions under which there may be by a strained construction a semblance merely of authorization for the regulations which have been promulgated, I say that a study of the provisions of title I, which applies to our veterans, shows that it does not indicate or express, directly or indirectly, any such intent as has been put into force under the harsh regulations which have been prescribed in the name of the Economy Act.

We who voted for the Economy Act were assured that it would be justly and liberally applied so far as the veterans of this country were concerned, and with such assurance we did not desire to oppose our Democratic President, who was and is struggling so patriotically for the Nation. My good friend from Arizona, Mr. ASHURST, who, I see, is not in his seat—but that does not make any difference, for I have made about the same remark to him—may take responsibility, if he wishes, for the orders and the regulations which have been issued by the Veterans' Bureau under the provisions of the Economy Act; but, so far as I am concerned, I do not assume responsibility for the unreasonable and the unfair regulations which have been imposed, in many instances, in regard to great groups of our veterans.

If Congress does not think it is proper that this treatment should be accorded to the veterans, I think it should perform its duty and enact legislation to correct this miscarriage of the intention and the purpose of Congress in acting upon the urgent request of the President for the enactment of the Economy Act.

I have every confidence in the President of the United States. I am a great admirer of his. I think he is making

a splendid President. I like his courage and his initiative and his set purpose in his endeavors to restore the Nation to its former prosperity. I know, however, that the President never had an opportunity to go over all these regulations. He may be considering making some modification or changes of them; but when the law was enacted we were told that it was going to be enforced generously and justly toward the veterans of this country. At the present time I do not care to rely upon some grapevine messages that may or may not come to the effect that the regulations are going to be modified and changed so as to give justice and more generous treatment to the veterans.

We have tried this out for more than 2 months in the administering of veterans' affairs; and what a record, what a tragedy, confronts us! I presume the Administrator of Veterans' Affairs and the Director of the Budget prepared these regulations and these orders. We have been sorely disappointed, and thousands upon thousands, and even millions, of veterans in this country have been treated as though they were unworthy of the aid and assistance of the Government, instead of being treated as patriots of the Nation, as they should be.

I was taught at my mother's knee to have regard and esteem for the man who took up arms and went forth in defense of his country in its hour of peril; and that respect and appreciation for those who rally to their country's flag, who prove their courage, their loyalty, and their devotion to their homeland first instilled and inspired within me by my good mother has continued until this day; in fact, has become intensified with the passing of the years and a mature realization of the hideousness of war.

One of the most inspiring scenes I ever witnessed was during the early days of the World War, when a great army of American soldiers, who had come from town and city and countryside, was assembled here in Washington, and there was a parade on Pennsylvania Avenue composed of some fifty thousand of the very flower of the young manhood of this country who were going forth to fight the battles of the Nation. I was thrilled with admiration for them at that time. Every impulse of my patriotism and my love and esteem for the defenders of the country, who were willing to respond and do their duty, was quickened at that time by that wonderful picture of gallantry, of devotion, and patriotism.

I witnessed another quite in contrast with the first when the war was all over. Upon the same historic avenue, in the same city of Washington, I saw the picked division of all the American troops, coming back as victors, march through this city; and as they did I was doubly inspired and thrilled with love and devotion for the men who had rallied to the colors and gone across the seas and fought upon foreign fields, where many of them had sacrificed their lives and others had fallen wounded for the cause of our Republic.

Senators, ever since that time I hope I have never been recreant in my duty to pay honor to these brave men, and to extend to them, as far as possible within my power, a just tribute and a just token of the Nation's esteem and gratitude to the living and to revere in cherished memory the gallant dead. I never could have dreamed that there would throb in the heart of any man such sentiments as to promulgate and begin the enforcement upon these loyal veterans of the Great War of such regulations as have gone forth in the name of the Economy Act. I do not believe the President is responsible for this black page in our history. I think it is purely the responsibility of those who are formulating and administering the veterans' affairs after their own fashion.

I am not going to read cases, but I have a great number of them, telling of injustices; and when I make inquiry of the Veterans' Bureau, while, of course, I get no admissions of any injustice on the part of the Veterans' Bureau, the evidence which comes back to me corroborates, as I see it, the injustice about which the veteran has complained.

I know of cases of injustice to bed-ridden persons, and have the records in my files. One soldier wrote me that he had been gassed upon the battlefield; that he had been

confined to hospitals for 8 or 9 years, and he said no person who had not had a similar experience could imagine the torture he had endured during these 8 or 9 years from the effects of being gassed. He said that he had been unable to sleep lying down during all this period of time, because the greater part of the time he felt that he was about to choke to death; and yet, under these regulations, the Veterans' Bureau notified him—he is still in a hospital—that his compensation was being reduced from \$90 a month to \$20 a month.

Another poor fellow told me that he was totally blind in one eye and could scarcely see at all with the other eye, and the record shows that his case was of service origin. The other case I mentioned was also of service origin, and was so recorded. They gave this almost totally blind veteran notice that his compensation would be reduced from \$100 a month to \$23 a month, I think it was.

Any Senator who wants to take the responsibility for such conduct and treatment of a veteran as that, because he happened to vote for the bill, is welcome to do so; but it is so foreign to the ideas and the views which I entertain that I admit no responsibility whatever, and I do not think any other Senator is responsible for any such action as that.

I think we ought to do something to try to remedy the situation. During the past 16 years as a Member of the Senate I have felt that I owed a great debt of gratitude to these veterans, that the Nation was a thousand times over their debtor. It just happens that I was the one who offered the amendment which brought about the \$60 bonus given to each veteran upon discharge after his returning from the war. I supported the cash compensation idea during the early years after the war, having introduced in the Senate and fought for cash compensation bills, and at the time we enacted the Compensation Certificate Act I thought it was better, and I so voted, to give them cash compensation instead of these certificates. That was what they really preferred.

The compensation certificates were practically forced upon them, as far as the great rank and file were concerned. I think they should now be paid at face value. Of course, some of the officers of some of the veterans' organizations, like the American Legion, of that character, a good many of whom were at the forefront at that time and occupied swivel-chair jobs during the war, did not seem to think that a man ought to have anything, and a goodly number of them today do not think the soldiers are being mistreated when we cut off their compensation, reducing the compensation of bed-ridden, of blind, and those suffering with every character of disease. They do not rebel when the sick and wounded are cast from the hospitals into the streets and thrown upon charity. They do not seem to think there is anything wrong about it. That does not worry them at all. I refer to a certain few among the veterans who live in affluence and in luxury, and most of whom had swivel-chair jobs during the war, and perhaps themselves are drawing big salaries from the Government or from Government subsidies. They do not care much about it. Of course, they have a right to their opinion, but it is contrary to my sense of justice and my view of giving proper recognition to our soldiers.

Mr. President, while I understood—not directly, of course, but from those representing the administration in recommending this law—that it was desired that some revision be made of the rolls, and that there should be an investigation and elimination, more or less, of those who were upon the rolls who were thought not to belong there, I had no intimation and no information from those who proposed the Economy Act that they expected to practically take away the compensation of service-connected cases, and that they intended to absolutely wipe out, as far as possible, the pensions which had been allowed to the Spanish War veterans. Yet that is what has taken place in the name of economy, under the Economy Act, and I charge it is contrary to the spirit of the law and violative of what Congress was led to expect.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. TRAMMELL. I yield for a question.

Mr. HATFIELD. What percentage of the Spanish-American War veterans will the Senator's amendment affect?

Mr. TRAMMELL. It will affect the disabled, those who had service-connected disabilities. I have not attempted to try to remedy all the ills which exist, and anybody knows that if we attempt to do that in this body in a general revision of the present law we have no chance to get through the legislation. So I put pensioners in with those who draw compensation and pensions for service-connected disabilities. That was my object in restricting it to that class, not that I favor that restriction. It is merely a matter of expediency.

Mr. HATFIELD. The Senator feels that is the best he can get?

Mr. TRAMMELL. That is my firm opinion as far as amending the pending bill. I had hoped that this much could be attained. There is a common sentiment throughout the country on the part of civilians and on the part of veterans and on the part of our people generally, that the service-connected cases should not have been materially disturbed on account of the Economy Act.

Mr. HATFIELD. Mr. President, may I ask the Senator another question?

Mr. TRAMMELL. I yield.

Mr. HATFIELD. Could Spanish-American War veterans whose cases are presumptively service connected, come in under the Senator's amendment?

Mr. TRAMMELL. I think they can come in under it, in view of the fact that the amendment requires that the burden of proof shall be upon the Government if an effort is made to eliminate a veteran from the roll. When a man has once submitted his claim, as have these soldiers who will come under the provisions of my amendment, and the Government has scrutinized it and investigated it, and, I am sorry to say, in probably 90 percent of the instances resolved all doubts against the soldier, when that has once been done and the soldier, regardless of an unsympathetic consideration by the Bureau, has been placed upon the roll as a service-connected case, then I say that it is the height of injustice, it is a procedure which does not exist in any other tribunal in this country, to provide that the man shall subsequently be forced to come in and reestablish his case. That is what is being attempted, that is apparently the policy of today.

Mr. President, if there is litigation in the courts of the country, and there is a verdict, if there is a decision rendered, after the case is adjudicated by the court of last resort, if it is appealed, it is never said, "We are going to call the successful litigant in and make him reestablish his case, although judgment has been rendered in his favor." Such course would meet with the condemnation of the people of any civilized nation. There is no procedure of this character which has ever been applied, as far as I know, other than in the instant cases.

Mr. BONE. Mr. President, does the Senator want a vote on his amendment this evening?

Mr. TRAMMELL. I should like to have a vote, of course, if we can get to one.

Mr. BONE. I should like to speak for a moment on the Senator's amendment when he is through.

Mr. TRAMMELL. Very well. The amendment, briefly stated, applies to all service-connected cases which are upon the rolls and which have been passed upon, either involving compensation or pension, the word "pension" being used with a view to giving the same consideration to the Spanish-American War veterans, who have been most unmercifully treated. The Spanish-American War veterans have been cut all the way from \$40, \$50, and \$60 a month down to \$6 a month, and they would have, in my opinion, been stricken entirely from the rolls if there had not been a provision in the Economy Act providing that the range should be from \$6 to \$275 a month.

Why did the proponents of this legislation insert in the bill the maximum of \$275 a month? Who did they intend should receive \$275 a month? Yet the maximum was fixed at \$275 and the minimum at \$6. The Spanish-American

War veterans, in my opinion, would have been entirely swept from the map and left no compensation whatever if it had not been for the minimum restriction inserted in the law, I think through an amendment offered by the Senator from Washington.

Mr. CUTTING. Mr. President, the Senator just asked who was supposed to get the \$275 a month. Perhaps the Senator will pardon me, if it seems impertinent, if I quote from the testimony of Mr. Douglas before the Committee on Finance. He was asked that particular question, and he replied:

I am not certain that that is too high for the man, say, who has lost 2 arms or 2 legs in the service.

Senator McKELLAR. Or two eyes.

Mr. DOUGLAS. Yes. I am not certain that that is too high for a man who has received a disability of such great magnitude as the loss of 2 arms or 2 legs or 2 eyes.

Frankly, for a man who was overseas and who was in the big show and was under fire and was shot to pieces by a high explosive, and lost 2 arms, or 2 legs, or 2 eyes, my honest opinion is that that is not too high.

And my sympathy goes out to such a man. He certainly gave something for his country.

The Senator will recall that it has been repeatedly stated on this floor that many men who have lost 2 legs, 2 arms, or 2 eyes have been cut down so that today they are getting a pittance.

Mr. TRAMMELL. I thank the Senator. That is very true. I had not read that evidence. It may be recalled that the hearings before the Finance Committee were not printed and delivered to the Senate until the bill had already passed the Senate on March 18 or 19. I mentioned the fact of the \$275 maximum to show that someone who had to do with the preparing of the Economy Act had in contemplation the fact that there were some worthy cases of service origin which should be reasonably compensated.

Mr. CUTTING. If the Senator had asked me who was getting the \$275 a month, I should not have been able to give the Senator an answer.

Mr. TRAMMELL. I thank the Senator for his information. The records show that a great many have been cut from \$100 to \$20, and from \$90 to \$20, and others from \$50 or \$60 down to \$12 or \$13 or \$14. One Spanish-American War veteran who is 67 years old wrote me that they had cut him from \$40 down to \$6. Of course the cases affected would naturally be brought to the attention of Senators, but practically all of the veterans have been detrimentally affected.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TRAMMELL. I yield.

Mr. CONNALLY. If I may have the attention of the Senator from New Mexico, on the point to which the Senator called attention with reference to the testimony of Mr. Douglas, and his statement that \$275 a month was not too much for the man with both legs lost in battle, I call the Senator's attention to the fact that there is a man from my State down here in one of the departments, a man by the name of McKenzie, who in battle lost both his legs near the hip, shot off with machine-gun fire, and he was wounded in several other ways. He formerly drew \$175 a month on account of those disabilities, and has now been cut to \$100. That illustrates the way in which a man with both limbs gone, who has to go around with an improvised crutch arrangement, instead of getting \$175, has been cut to \$100.

Mr. CUTTING. He may have Mr. Douglas' sympathy. He did not get very much else out of the situation.

Mr. CONNALLY. His name is McKenzie.

Mr. CUTTING. There is a case almost identical with that in my own State.

Mr. HATFIELD. Mr. President, will the Senator from Florida yield again?

Mr. TRAMMELL. I yield.

Mr. HATFIELD. In keeping with the point which has been raised by the distinguished Senator from New Mexico,

I ask permission of the Senator from Florida to read a letter from a disabled veteran. It is very brief.

Mr. TRAMMELL. I yield.

Mr. HATFIELD. This letter is addressed to me from Martinsburg, W.Va., dated May 26, and reads as follows:

MARTINSBURG, W.VA., May 26, 1933.

Hon. H. D. HATFIELD,

United States Senate Office Building,

Washington, D.C.

DEAR SIR: I am a disabled World War veteran. I had my spine broken down in 1918 in France; have two fractured vertebrae, have never been able to work since discharge; wear a steel cast; spend about half of my time in bed. Last examination at hospital shows a T.B. condition. I was getting \$90 for my wife and myself. Received notice May 22 I would be reduced to \$40 per month on July 1. I am interested in a square deal, but it looks like I have been hit with the "new deal."

I hope I will be given some consideration.

Sincerely,

WILLIAM H. LICKLIDER,

1113 Washington Avenue, Martinsburg, W.Va.

Mr. TRAMMELL. Mr. President, I have a number of cases right along that line which are very pathetic; and it is very distressing to me to think of the treatment accorded to men in such condition, men who have never been guilty of any disloyalty to their country, whose only offense, if it be a crime, which, of course, I do not think it is, has been devotion to their country to the extent of bearing arms in defense of the American flag, and who, on account of the services thus willingly and patriotically performed, have been stricken down in their good health, and are now invalids, some of them blind, some of them with crushed spines, and some of them suffering from other injuries which have destroyed their health and their opportunity to gain a livelihood. I have not introduced into the Record any of their letters, but I have a great many of them of the same character as that read by the Senator from West Virginia.

Mr. HATFIELD. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from West Virginia?

Mr. TRAMMELL. I yield.

Mr. HATFIELD. I hold in my hand an X-ray picture taken of a World War veteran who has lost his right leg and thigh. This X-ray picture discloses the fact that the limb has been disarticulated at the hip joint; his body in many places has been punctured with bits of shrapnel, some of the pieces found in the soft tissue of his back and shoulders and arms, others resting against the spinal column, with other metallic pieces entering the bony structure of the vertebra. In other words, this soldier is a hopeless cripple. I will read his letter with the permission of the distinguished Senator from Florida. It is as follows:

HUNTINGTON, W.VA., May 12, 1933.

Hon. H. D. HATFIELD,

United States Senator, Senate Office Building,

Washington, D.C.

MY DEAR SENATOR: You will please find enclosed a letter from the Veterans' Administration of Charleston, W. Va., dated May 1, 1933, in which they state that my monthly allowance will be in the amount of \$80 per month on account of my war-time, service-connected disabilities. They are still rating me on my 86 percent disability on account of the loss of the use of a right foot.

My dear Senator, I would appreciate it very highly if you will look into this matter and stop this 86 percent disability business that those people in the Charleston office are trying to hang on me. With kindest personal regards I remain,

Yours very truly,

ELZA LEE SNYDER,
Box 212, Huntington, W.Va.

It thus appears that a reduction has been made in the soldier's compensation of 36 percent. This soldier was brought to my office about 3 weeks ago by an attendant in an automobile from Huntington, W.Va. These pictures were taken in Washington, D.C.

Mr. TRAMMELL. What was the reduction in that case?

Mr. HATFIELD. The reduction in his compensation was 36 percent. The veteran was receiving \$125 a month. He is, of course, 100 percent disabled; he must have a paid assistant all the time; he is completely incapacitated. His wounds give him continuous pain. Some of the shrapnel

fragments have lodged inside the vertebral column, pressing upon the spinal cord with a continued pain and suffering upon the part of the soldier; yet he is to be reduced to \$80 a month, an amount which is not sufficient to take care of him in his hopeless and helpless condition. I submit for the RECORD, if the Senator will permit—

Mr. TRAMMELL. I have no objection.

Mr. HATFIELD. The X-ray finding in this case, so that it may be read by those who are interested.

The PRESIDING OFFICER. Without objection, it will be printed in the RECORD.

The matter referred to is as follows:

CLINICAL RECORD—RÖNTGENOLOGICAL REPORT

VETERANS' ADMINISTRATION,
Washington, D.C., April 13, 1913.

X-ray fluoroscopic findings: Radiographic examination of the right elbow, left forearm, right shoulder, right hip, and low back, shows small metallic foreign body superficially in the inner side upper third left forearm; old tiny ununited chip fracture of external condyle; no evidence of pathology in shoulder joint; two metallic foreign bodies noted in the chest wall. Pelvis shows disarticulation of the right hip; lumbar spine shows two small metallic foreign bodies just to the left of the twelfth dorsal vertebra. There is fusion of the right sacro-iliac and considerable arthritic change of the right sacro-iliac junction, probably traumatic in origin.

J. F. ELWARD, M.D., Röntgenologist.

No. 30202, Snyder, Elza L. (202-10).

Mr. HATFIELD. This report not only shows that he has had his right leg amputated at the hip, but that his body is practically riddled with shot and shell, nevertheless he has received notice that his compensation has been reduced from \$125 to \$80 a month.

Mr. TRAMMELL. I feel, Mr. President, under the circumstances and conditions which face us, that it is my duty—of course every Senator has to say whether it is his duty or not—to make an earnest effort to correct this situation; to correct it in part if we cannot correct it in toto. This amendment will go a long way toward remedying the conditions so far as the service-connected cases are concerned. It provides that there shall not be more than a 15 percent reduction in cases of that character. Those in charge of the Veterans' Administration have been reducing the compensation in cases of this character all the way from 30 percent to 60 or 70 percent. This amendment proposes to restrict the reduction to not exceeding 15 percent—a reduction I think that is ample if not too much.

The Congress has not seen proper to bring about a reduction exceeding 15 percent in the salaries of the civil employees of the Government. While I believe in economy, I also believe that it should be brought about in fairness and justice. I think that a 15 percent reduction is sufficient in the smaller brackets of the salaries; but I do not agree with the policy that we should reduce the smaller salaries to such an extent that their recipients can scarcely keep body and soul together, and then reduce the larger salaries by only the same percentage. I have on previous occasions discussed that question to some extent.

A majority, at least, of the Senate and the House have not seen proper heretofore to require a person receiving a salary of \$10,000 per annum or \$12,000 per annum or \$15,000 or \$18,000 per annum to take a larger percentage of reduction than the employee who has a salary of only \$1,400 or \$1,500 or \$2,000 per annum. I propose a limitation in this instance of 15 percent.

I think that no greater reduction should be made in the compensation being paid to veterans with service-connected disabilities than is being made in the case of salaries of officials who are so fortunate as to be drawing from the Government salaries of from eight to eighteen thousand dollars a year. If we permit a greater reduction than that, then, in many cases there will be taken from these veterans who in many instances are totally helpless, 25, 30, 40, or even 70 percent of the little compensation which they receive, which a grateful Nation owes them, regardless of what may be the opinion of a few people or of some Members of the Congress. It may be considered by some to be proper to take this larger percentage from the veterans, but when it comes to the question of endeavoring to cut down by, say,

25 percent or 30 percent salaries of ten, twelve, or fifteen thousand dollars, as was proposed in the amendment which I offered here previously on 2 or 3 occasions, it is said, "Oh, that is sacred; it would never do to reduce the salary of a man who is getting \$15,000 a year more than a couple or three thousand dollars a year, anyway; it would never do to leave him a salary that was not at least \$12,000 per annum."

The man who was receiving \$10,000 per annum under an amendment proposed by me when the economy bill was pending would have had a \$10,000 salary reduced approximately 25 percent. That amendment, however, was defeated. It was said it would never in the world do to take \$2,500 a year from the salary of a man who was receiving \$10,000 and leave him only \$7,500 per annum. But as to these soldiers, these patriots who were wounded or contracted disease in fighting for their country, some people would not complain if we should take from them from 30 to 70 percent of their pitifully small compensation which the Government has heretofore been giving them. It is that condition which I seek to have corrected.

There are some who went mad on the question of economy, who were misled and deceived by the Economy League of America, the activities of which were carried on very largely by people who have never known much about the hardships of life; certainly at the time they were trying to bring about this maddening economy spirit in this country most of them were living in luxury, and many of them were receiving even large compensation from the Government. Nevertheless, their representations, carried on through chambers of commerce of the country and otherwise, had a great deal of weight with and deceived and misled a great many people. However, even in that campaign it was never intimated that its proponents wanted to make an attack upon the compensation allowed in service-connected cases.

Of course, I was not in sympathy with the policy advocated by the Economy League—that is, with the details of the program. I am in sympathy with the spirit of economy in this country; we need it; but with all the details of their program of economy I was never in agreement. They stood too much for getting the money barons of the country relieved from taxation and cared nothing for the little fellow.

So far as the Administration of Veterans Affairs and so far as Mr. Douglas are concerned, they seem to have selected a page out of the book of the members of the Economy League in applying reductions to the soldiers of the country. If Senators will read some of the literature of that organization regarding veterans they will see the similarity in the suggestions made by the Economy League and those which are now being applied.

Regardless of this propaganda, regardless of a public sentiment misled by misrepresentation of conditions, the people generally throughout the country, in my opinion, have become awakened to the situation; and, much as many Senators may be disgusted with what has been perpetrated upon our veterans in the name of economy, the public, generally speaking, are feeling the same as I do on this subject. I never meet or talk with anyone, whether he be humble in station or be high in station, whether he be in poverty or live in luxury; I never talk with anyone who dwells in the cottage or lives in the mansion—and I have talked with many in all walks of life on this subject—but that they disapprove of the way that thousands of veterans who served this country are being maltreated. As I hear the cry, it comes from the North and the South, the East and the West, and it is an appeal to Congress to remedy the situation and to correct a wrong and an injury which has been perpetrated upon these veterans of America. I am hopeful that this amendment will accomplish something in that direction. It involves only service-connected cases. It restricts reductions to 15 percent.

Another important feature, as I regard it, is that it protects the soldier who is already on the roll as a service-connected case from a reexamination and a review of his case, in that it provides that if such a thing shall be attempted, the burden of proof will be upon the Government.

As I gather it from letters which have come to my attention, the procedure under some of the regulations at the present time is that the Veterans' Administration is attempting to shift the burden of proof to the veteran to reestablish his case, which it has once recognized and acted upon favorably. What an injustice, what a tragedy it is to call upon these men whom I honor, and to whom I would have the Nation pay fitting tribute, again to reestablish their cases after they have been settled 1 year ago, 2 years ago, or 3 or 4 years ago, or maybe longer.

I could talk more at length, but I am not going to do so. I know how Senators generally feel. They feel that we should do something to correct the situation. My amendment will not correct all of the abuses which exist under the present regulations, but it will bring protection to the service-connected cases of the World War and of the Spanish-American War. It is thirty-odd years since the Spanish-American War. Those men cannot make proof now of service connection. One wrote me the other day that he had had only two comrades who could establish his case, one of whom is dead and the location of the other of whom he did not know, so he could not establish his service connection. That is typical of the situation portrayed in many letters I receive.

I notice that the Veterans' Administration, in quoting the President, said the President knew it would be unfair and unreasonable to require the Spanish-American War veterans to undertake to establish service disability and therefore that the Spanish-American War claims should be presumptively all service connected. I want to commend the President for that position and that generous and righteous attitude. I think that an administrative feature was tacked on by others to the President's very generous and just idea, and this administrative feature is that the bureau send out a blank to a veteran and ask all kinds of questions. Of course, he cannot establish through that blank the proof called for, although the President has said that his case would be presumptively service connected. He cannot now, 35 years after the Spanish-American War, establish service connection. They make the veteran, by such unjust procedure, become his own executioner. That is the trickery that is being practiced upon the Spanish-American War veteran. He becomes his own executioner because when he sends back that questionnaire he is unable to establish service connection. Therefore, when his case is reviewed, upon his own statement the generosity and fairness proposed by the President are brushed aside and disregarded, and his case is marked of nonservice connection because he has not been able to prove it again. It certainly is unreasonable to expect him to get the proof at this late day. As may be recalled, during the Spanish-American War very poor records were kept.

Where these men are already on the roll, they should be protected. Therefore in the amendment which I have offered I have provided that the compensation and pension shall not be reduced in excess of 15 percent. My first thought was 10 percent. That occurred to me as a proper recognition of the sentiment and the impulses that throb within me and impel me to honor, more than the civilian employees of the Government, those who have previously to these desperate, trying days of the Nation served their country in war.

I find some, but, of course, not many, who do not have much appreciation of that fact. They do not care much about a man's service to his country. They take the attitude that these men were paid when they served. But I would remind you they were paid a mere pittance in comparison with the service rendered. Some of these soldiers who have been mistreated under the regulations and by the action of the Veterans' Administration advise me in their communications that all during the war they sent insurance money and allowances to their families until they had nothing whatever left of the salary paid to them when they were upon the battlefield. Now, to meet with this disaster which has befallen them is very discouraging. Some of them write

that it makes them feel that loyalty and patriotism and devotion to country are worth nothing; that they want no reward, but they do want some recognition for the services they rendered their Government.

Mr. President, I have submitted rather scattering remarks on the situation, but I hope I have made myself clear in my effort to bring to the attention of the Senate that under the regulations and the conduct of the Veterans' Administration the veterans—thousands of them, at least—with service-connected disabilities are being mistreated by a Government which should honor them and be just and generous with them.

It is said by some that these things will all be corrected. We have heard something similar before. When this matter was here originally in March we heard that everybody was going to be treated justly and generously. I do not care to delay longer in doing the best I can to correct the situation. I think the hour for action has arrived. I find that administrative officers, those who occupy executive positions and legislative positions, have to assert themselves at times to avoid or to have discontinued some injustice to groups of or all the American people.

When it was my good privilege and honor to be Governor of Florida, the legislature passed a bill providing for a tax commission. I was opposed to the policy, but the legislature passed the bill. There was a great sentiment in favor of it, so I said, "All right, we will have a tax commission for the purpose of equalizing taxes, but which, in my opinion, will be disappointing." I appointed the three commissioners. I said to them, "This law does not provide that you have to boost the tax assessments of Florida in a sum that will impose an unbearable tax burden upon the people of the State in any one year. My only instruction to you is to avoid doing that."

The first year they increased the tax assessment about 10 percent and got away with it. The next year an order was sent by the tax commission to the various tax assessors over the State, stating to each of the counties, respectively, "Your county shall increase its tax-assessment roll 40 percent"; to some other county, "You will increase your tax-assessment roll 50 percent"; another county, 25 percent; and in all it amounted to an average increase of 50 percent in taxation on the people of the State in 1 year. The law may have authorized this, but not the spirit of the law. I called the tax commissioners to my office and said, "I warned you about this. You are going to destroy the people of Florida by any such plan you have ordered as this. I am very sorry you did not talk to me about it first. I am going to wire every tax assessor in Florida to ignore your order and to make only a reasonable increase in the assessable values of the State." I pursued that course. The result was that the people were not burdened nor absolutely crushed under an unreasonable and disorderly effort to bring about tax equalization.

We need definite action now. I hope I may be pardoned for the reference to my own experience, but that is what we need with reference to the Veterans' Administration. If no one else will go after them, then it is the duty of Congress to go after them. I am not willing to wait any longer, Mr. President, so I have proposed this amendment and I hope Senators will support it. I am going to support some of the other good amendments that have been proposed by other Senators. The Senator from New Mexico [Mr. CUTTING] has rather a similar amendment which he has proposed. Of course, I like the 15-percent idea better than 25 percent. I do not want to discriminate against ex-soldiers, because they have already been discriminated against too much. I do not want to make a reduction of more than 15 percent. The amendment of the Senator from New Mexico is a splendid amendment and carries out the same idea and purpose I have, except that it makes no provision with regard to the question that the burden of proof should be on the Government when they go to review a case already upon the rolls and which has previously been determined.

Mr. CUTTING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from New Mexico?

Mr. TRAMMELL. I yield.

Mr. CUTTING. I just wish to say that I am going to vote for the amendment of the Senator from Florida. I know there is some sentiment in the Chamber in favor of giving the President a little more latitude than the Senator proposes in his amendment. I merely want to serve notice now that if the Senator fails to get the necessary two-thirds vote to suspend the rule for the consideration of his amendment, then I shall call up my motion to have consideration of my amendment making a reduction of not to exceed 25 percent in the service-connected cases.

Mr. President, if the Senator will yield further, I should like to have printed in the RECORD an editorial from the Philadelphia Record entitled "Inhuman and Unsound."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Record, June 1, 1933]

INHUMAN AND UNSOUND

Revolt raises its head in Congress and in the Nation against the "economy" program of the Roosevelt administration.

The President himself, apparently realizing that conservative advisers have misled him, moves toward modification of the reductions for veterans.

Nothing can do Mr. Roosevelt more harm than to continue the balance-the-Budget program of the Hoover administration.

To attempt a balance at the present time, and at the expense of needy veterans and underpaid civil employees, is inhuman and unsound.

So conservative a commentator as Roger Babson warned the wealthy interests behind the National Economy League several months ago:

"Elimination of unemployment can come only by increasing public purchasing power and raising the standard of living. Only as more goods are bought and consumed can this country return to normal production and employment. All talk to the contrary is not only uneconomic but dangerous.

"Hence I appeal to the National Economy League to drop the word 'economy' and to curb their speakers in their preaching of false economy. In the meantime, until this is done, I advise manufacturers, merchants, and workers to refrain from joining the National Economy League."

The same wealthy banking and industrial interests behind the league do not hesitate to accept huge doles from the Reconstruction Finance Corporation and from the Federal Government while asking cuts at the expense of veterans and workers.

How can business be revived when mass purchasing power is being curtailed?

Can business be expected to raise wages when the Federal Government itself is paying sweatshop rates to many in its own post offices?

How can it take bread and butter from the mouths of veterans and workers while it continues to pay huge subsidies, in one instance as high as \$117,000 a pound, to Morgan air-lines companies for handling the mails?

The President's new deal is being wrecked and undermined by reactionary forces in his own official family.

The National Economy League and its heavily financed publicity men spread the impression that millions were being paid to veterans who neither needed nor deserved the money.

Such cases exist, without a doubt. That they are typical or even common the Record denies. Many badly in need, many with service records overseas, have been cut and cut drastically under the economy program.

In a Senate debate over the economy provisions Senator VANDENBERG, of Michigan, tells of one veteran with gunshot wounds in the back, hernia, arthritis, and chronic nervousness, all service connected, who has been reduced from \$90 to \$8 a month.

Let it be noted, also, that the most the National Economy League dared to ask for openly was reduction in payments to the non-service-connected disabled. Let it be noted that Mr. Hoover merely asked an 8½-percent cut for Federal workers, instead of the 15 percent obtained under President Roosevelt.

The narrow, bookkeeping minds of the Douglasses have taken the Roosevelt administration further than even the worst reactionaries dared to go.

President Roosevelt is making a gigantic effort to wipe out the sweatshop and raise the wages of labor.

So far the Nation's great corporations have followed the example of his Budget-balancing underlings, instead of the President's own recommendations.

Great corporations such as United States Steel and Public Service of New Jersey were quick to imitate the 15-percent pay cut for Federal employees and the fallacious reasoning by which an attempt was made to justify the slash.

Sweatshop employers can still point to a Federal post office which exacts a 15-percent cut—against the intent of Congress—from postal substitutes trying to support families on \$5 and \$7 a week.

How are wages to be raised when 54 percent of the Federal Government's employees make less than \$1,500 a year, far less than the minimum estimated as necessary to raise a family in health and decency?

The Record appeals to President Roosevelt to clean house of reactionary influences, to begin the new deal at Washington, to set an example of fair wages and decent conditions, to revoke the inhuman and uneconomic cuts for veterans.

No substantial business revival is possible until mass purchasing power is increased.

To act for an increase in that mass purchasing power is the President's duty to the masses who turned to him for relief last November.

The human way is still the only way out of this crisis. Aid to the needy is the best kind of aid to business. Only increased mass purchasing power will sustain the rise in prices needed to revive industry.

Mr. BYRNES. Mr. President, I make the point of order against the amendment of the Senator from Florida [Mr. TRAMMELL] that it is legislation upon an appropriation bill.

Mr. TRAMMELL. Mr. President, of course, I think the point of order is in accordance with the rule, but I had hoped that the Senator in charge of the bill would show at least as much generosity toward human beings and the rights of our veterans as he has shown toward some other interests in permitting amendments that were clearly in violation of the rule to be attached to the measure without any objection whatever.

The PRESIDING OFFICER. The Senator from South Carolina makes the point of order against the amendment of the Senator from Florida on the ground that it is legislation upon an appropriation bill. The point of order is sustained.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McNARY. I thought the pending question was the motion offered by the Senator from Florida to suspend the rule. If that is the motion, no Senator could accept it. It has to be by vote of the Senate.

The PRESIDING OFFICER. On this particular amendment the Chair understands there is no motion to suspend the rule.

Mr. TRAMMELL. I desire to present the notice which I gave 2 or 3 days ago for suspension of the rule. I ask that the motion be considered and that the rule be suspended for the purpose of considering the amendment which I desire to offer.

I suggest the absence of a quorum. A number of Senators told me they wish to be here when this matter is voted upon.

Mr. McNARY. Mr. President, will the Senator withhold that suggestion a moment?

Mr. TRAMMELL. Certainly; I withdraw the suggestion for a moment.

Mr. McNARY. May I ask the Senator in charge of the bill if he desires to go forward further tonight; or can we not at this time recess until 11 o'clock tomorrow, and then take a vote on the Senator's motion?

Mr. BYRNES. I have no objection. The Senator from Oregon has indicated that a number of Senators on the other side of the Chamber desire to offer amendments; and if it is the desire to recess at this time—the Senator from Arkansas is now in the Chamber—I have no objection.

Mr. FESS. Mr. President, I wish to offer an amendment to the pending bill and have it printed and lie on the table.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. ROBINSON of Arkansas. Mr. President, I am reluctant to discontinue the proceedings this afternoon in view of the fact that no progress has been made on this bill today. It is true that other important matters have been disposed of.

There is on the calendar a joint resolution having relationship to the gold clause in contracts. This joint resolution should be acted upon tomorrow or next day for the convenience of the Treasury Department. It is well understood that there are some important transactions to be had at once by that Department; and I think that if we recess now, there ought to be an understanding that we will

proceed to dispose of this appropriation bill at an early hour tomorrow, so that the Senate may go forward with other legislation.

Of course, no one disputes the importance of the subject matters that are receiving consideration; but it has seemed to me that during the course of this week considerable time has been consumed in the discussion of subjects that are not before the Senate—a very bad practice in most instances.

I should like to ask Senators to cooperate in an early disposition of this bill tomorrow, and in proceeding upon the joint resolution to which I have referred. It is a very late hour in the day to undertake to get action on these amendments. If I can have the assurance that we may hope for reasonably prompt action tomorrow, I shall move a recess now, particularly in view of the acceptance of the suggestion of the Senator from Oregon by the Senator in charge of the bill, with whom I am cooperating.

It is perfectly apparent that if this extra session is to conclude its labors within the limit that has been discussed, we will be under the necessity of holding night sessions, especially if Senators indulge the practice of talking about questions not before the Senate and talking at great length.

With that statement, and expressing the hope that we may make progress tomorrow, and with the understanding that if we find it necessary I shall do what I can to keep the Senate in session until action is taken, I ask the Senator from Oregon if he does not feel that he can cooperate to that end? I am willing to move a recess at this time if such an understanding can be reached.

Mr. McNARY. Mr. President, I am extremely anxious, of course, as we all are on this side, to conclude this session by a week from Saturday. All we want is an opportunity to study and discuss the various measures. I feel sure that cooperation may be had on this side in order to expedite adjournment.

Mr. ROBINSON of Arkansas. What I am particularly asking about now is with respect to the proceedings tomorrow, having stated the necessity for a little prompter action than seems to be assured.

Mr. McNARY. Of course I am not in position to speak concerning the time that will be occupied in the argument of various amendments.

Mr. ROBINSON of Arkansas. I understand that.

Mr. McNARY. I know of no intention upon the part of anyone here to prolong discussion; and as far as I am personally concerned, I shall cooperate to bring about an expeditious consideration of the pending unfinished business.

Mr. ROBINSON of Arkansas. I should like to have an understanding that we will proceed with this bill until it is finally disposed of tomorrow, and also try to make progress on the consideration of the joint resolution. Is that satisfactory?

Mr. McNARY. I could not speak for anyone other than myself with respect to that.

Mr. ROBINSON of Arkansas. I am not asking unanimous consent.

Mr. McNARY. I know; but with regard to the joint resolution, I do not know what the feeling is here, whether it is desired to consider that measure or some other measure; but, whatever legislation is before the Senate, I shall cooperate to bring about an early decision of the matter.

Mr. ROBINSON of Arkansas. Mr. President, I give notice that I shall request and urge the Senate to continue in session tomorrow until this bill is disposed of.

Mr. TRAMMELL. Mr. President, a parliamentary inquiry. I desire to ask if my motion to suspend the rules is now the pending question.

The PRESIDING OFFICER. The Senator's motion is pending.

Mr. TRAMMELL. I thank the Chair.

INVESTIGATION OF PURCHASES OF EQUIPMENT FOR CIVILIAN CONSERVATION CORPS

Mr. CAREY. Mr. President, from the Committee on Military Affairs I report back favorably, with an amendment,

Senate Resolution 88, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The legislative clerk read Senate Resolution 88, submitted by Mr. CAREY on May 26, 1933, as follows:

Resolved, That the Committee on Military Affairs, or any duly authorized subcommittee thereof, is authorized and directed to investigate the negotiations between the Director of Emergency Conservation Work and the BeVier Corporation, a corporation organized under the laws of the State of New York, with respect to a contract proposed to be entered into between the Director and such corporation for the purchase of toilet kits to be furnished as part of the equipment of members of the Civilian Conservation Corps. The committee is also authorized in its discretion to investigate reports of irregularities in connection with any other purchases or proposed purchases of materials or equipment for the use of the Civilian Conservation Corps by any department, agency, or officer of the United States Government.

The committee shall report to the Senate as soon as practicable the results of its investigations, together with its recommendations.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. ROBINSON of Arkansas. I understand that the report of the committee is unanimous.

Mr. CAREY. It is.

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The amendment of the committee will be stated.

The LEGISLATIVE CLERK. On page 1, the committee proposes to strike out lines 10 to 14, both inclusive, in the following words:

The committee is also authorized in its discretion to investigate reports of irregularities in connection with any other purchases or proposed purchases of materials or equipment for the use of the Civilian Conservation Corps by any department, agency, or officer of the United States Government.

The amendment was agreed to.

The resolution, as amended, was agreed to, as follows:

Resolved, That the Committee on Military Affairs, or any duly authorized subcommittee thereof, is authorized and directed to investigate the negotiations between the Director of Emergency Conservation Work and the BeVier Corporation, a corporation organized under the laws of the State of New York, with respect to a contract proposed to be entered into between the Director and such corporation for the purchase of toilet kits to be furnished as part of the equipment of members of the Civilian Conservation Corps. The committee shall report to the Senate as soon as practicable the results of its investigations, together with its recommendations.

RECESS

Mr. ROBINSON of Arkansas. Mr. President, in view of the lateness of the hour and the fact that it probably would take some time to secure a quorum, I move that the Senate take a recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 37 minutes p.m.) the Senate took a recess until tomorrow, Friday, June 2, 1933, at 11 o'clock a.m.

NOMINATION

Executive nomination received by the Senate June 1 (legislative day of May 29), 1933

UNITED STATES CIRCUIT JUDGE

Sam Gilbert Bratton, of New Mexico, to be United States circuit judge, tenth circuit, to succeed John H. Cotteral, deceased.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 1 (legislative day of May 29), 1933

UNITED STATES CIRCUIT JUDGE

Sam Gilbert Bratton to be United States circuit judge, tenth circuit.

UNITED STATES ATTORNEYS

James R. Fleming to be United States attorney, northern district of Indiana.

Val Nolan to be United States attorney, southern district of Indiana.

COMMISSIONER OF INTERNAL REVENUE

Guy T. Helvering to be Commissioner of Internal Revenue.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 1, 1933

The House met at 12 o'clock noon.

Rev. William Pierpoint, pastor of McKendree Methodist Episcopal Church, Washington, D.C., offered the following prayer:

Almighty God, Thou giver of life and light, grant unto us that light which will make us wise in that wisdom and understanding which expresses itself in righteousness and truth. By the endowment of Thy spirit may we be fitted for the great and grave responsibilities which rest upon us. Help us to remember always that it is man's chief duty to glorify God. We believe we best discharge that duty when we seek to serve well our day and generation. To this end may that which we do be done as unto Thee.

O Lord, be pleased to let Thy gracious presence abide with us. Thou art our God; in Thee do we trust. Our rich heritage is from Thee. Our countless blessings are the evidence of Thy bounteous goodness toward us. Grant unto us, we beseech Thee, a continuance of Thy favor. Lift up the light of Thy countenance upon us and grant us Thy peace, that all our works, begun, continued, and ended in Thee, may be for the conservation of our national welfare, the promotion of universal peace among the nations of the earth, and the establishing of Thy kingdom among our fellow men. Hear us, we pray, for Christ, the Redeemer's sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had agreed to the amendments of the House to the joint resolution (S.J.Res. 48) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China.

MODIFICATION OF POSTAGE RATES AND EXTENSION OF GASOLINE TAX

Mr. DOUGHTON submitted the following conference report on the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 6. (a) Effective September 1, 1933, section 616 of the Revenue Act of 1932 is amended to read as follows:

"SEC. 616. TAX ON ELECTRICAL ENERGY FOR DOMESTIC OR COMMERCIAL CONSUMPTION

"(a) There is hereby imposed upon electrical energy sold for domestic or commercial consumption and not for resale a tax equivalent to 3 percent of the price for which so sold, to be paid by the vendor under such rules and regulations as the Commissioner, with the approval of the Secretary, shall prescribe. The sale of electrical energy to an

owner or lessee of a building, who purchases such electrical energy for resale to the tenants therein, shall for the purposes of this section be considered as a sale for consumption and not for resale, but the resale to the tenant shall not be considered a sale for consumption.

"(b) The provisions of sections 619, 622, and 625 shall not be applicable with respect to the tax imposed by this section.

"(c) No tax shall be imposed under this section upon electrical energy sold to the United States or to any State or Territory, or political subdivision thereof, or the District of Columbia. The right to exemption under this subsection shall be evidenced in such manner as the Commissioner, with the approval of the Secretary, may by regulation prescribe."

"(b) Despite the provisions of this section the tax imposed under section 616 of the Revenue Act of 1932 before its amendment by this section on electrical energy furnished before September 1, 1933, shall be imposed, collected, and paid in the same manner and shall be subject to the same provisions of law (including penalties) as if this section had not been enacted."

And the Senate agree to the same.

R. L. DOUGHTON,
SAM B. HILL,
ALLEN T. TREADWAY,
ISAAC BACHARACH,

Managers on the part of the House.

PAT HARRISON,
WILLIAM H. KING,
WALTER F. GEORGE,
DAVID A. REED,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment no. 1: This amendment strikes out the phrase "for experimental purposes" in the provisions relating to the elimination on July 1, 1933, of the additional rate on first-class matter mailed for local delivery. The House recedes.

On amendment no. 2: This amendment strikes out the provision of the House bill which transfers the electrical-energy tax from the producer to the consumer and substitutes in lieu thereof a provision which exempts from taxation under the manufacturers' excise-tax title of the Revenue Act of 1932 articles sold for use as fuel supplies, ships' stores, sea stores, or legitimate equipment on vessels of war, fishing or whaling vessels, or vessels engaged in foreign trade, trade between the Atlantic or Pacific ports of the United States, or between the United States and its possessions. The amendment also provides that articles manufactured or produced with the use of articles upon which the tax under the manufacturers' excise tax title has been paid upon importation, if laden as supplies on such vessels, shall be held to be exported for the purposes of allowance of drawback on such articles. The House recedes.

On amendment no. 3: This amendment imposes a tax on electrical energy sold on or after September 1, 1933, for domestic or commercial consumption of 2 percent of the price for which sold. This tax is to be paid by the vendor. No tax is to be imposed on the sale of such energy to the United States or to any State, Territory, or political subdivision thereof, or the District of Columbia.

The amendment also imposes a tax (with certain exemptions) of 1 percent of the amount paid for electrical energy for consumption other than domestic or commercial if such energy is furnished on or after September 1, 1933, and before July 1, 1934. This tax is to be paid by the person

paying for such electrical energy and is to be collected by the vendor.

The amendment further provides that the provisions relating to both the tax on the vendor and the tax on the vendee shall not apply to publicly owned electric and power plants.

The amendment further provides that the tax under existing law on the payment for electrical energy for domestic or commercial consumption shall apply with respect to payment on or after September 1, 1933, for electrical energy furnished before that date.

The House recedes with an amendment imposing a tax on the vendor of 3 per centum of the price for which electrical energy is sold for domestic or commercial consumption, effective September 1, 1933, rather than the fifteenth day after the enactment of the act as proposed by the House. The amendment continues the present tax on the consumer until September 1 with appropriate provision for collection of tax on payments made on or after September 1 for electrical energy furnished before that date. The amendment omits the provision of the Senate amendment imposing a tax on the consumer of industrial energy. The section as agreed to in conference also omits the Senate amendment exempting publicly owned electric and power plants. The section as agreed to in conference also provides that in the case of electrical energy sold to an owner or lessee of a building for resale to his tenants the tax shall not be paid by the owner or lessee but by his vendor.

R. L. DOUGHTON,
SAM B. HILL,
ALLEN T. TREADWAY,
ISAAC BACHARACH,

Managers on the part of the House.

EXTENSION OF REMARKS

Mr. COLLINS of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD the number of men, by classes, who will be employed in supervising the work of the 274,375 registrants for reforestation work.

Mr. SNELL. Mr. Speaker, reserving the right to object, I wish to ask the gentleman a question or two. I would like to know how many civilian employees there are in connection with this supervisory work.

Mr. COLLINS of Mississippi. Independent of the Indians to be placed in reforestation, this list shows a total of 20,300 civilian employees but this number does not include the Regular Army officers, Navy officers, and the Reserve officers.

Mr. SNELL. What is the average pay of these civilians?

Mr. COLLINS of Mississippi. Looking over this list I imagine that the average pay of these 20,300 men will be around \$140 per month.

Mr. SNELL. How many Army officers are connected with the reforestation work?

Mr. COLLINS of Mississippi. I have not the number but I hope later to get it, and if I do I will insert it in the RECORD. I understand the Reserve officers will number about 5,000.

Mr. SNELL. I think it is valuable information. If we are going to have any, we ought to have it all.

Mr. COLLINS of Mississippi. I will insert also the number of Reserve officers employed in this work if I can get their number in larger detail.

Mr. SNELL. Also, I would like to know how many emergency officers have been called back into service.

Mr. COLLINS of Mississippi. I will undertake to supply this information.

Mr. SNELL. It has been rumored around that these men recruited in the eastern part of the United States are sent to the very western part and are transported in Pullman cars. Is this so?

Mr. COLLINS of Mississippi. I understand a large number of them have been transported in Pullman cars, particularly from Fort Slocum to Idaho.

Mr. SNELL. What is going to be the average cost for each man by the time we get through? Has the gentleman from Mississippi any information on this question?

Mr. COLLINS of Mississippi. When this bill was originally on the floor of the House I estimated the cost of each one of these recruits at \$3.66 per day. I understand my estimate was low and the cost per day for each recruit will be in excess of that amount.

Mr. SNELL. Will the gentleman put all of this information in any report he files?

Mr. COLLINS of Mississippi. I shall be pleased to give the gentleman all the information I can.

Mr. SNELL. If the gentleman will do that, I shall have no objection to his request.

Mr. HASTINGS. Mr. Speaker, reserving the right to object, has the gentleman any information as to the number of Indians employed? Is he going to include that information in his extension of remarks?

Mr. COLLINS of Mississippi. I shall undertake to do so.

Mr. SNELL. There is one further question I would like to ask the gentleman from Mississippi. Has it been necessary for the Government to purchase any land for the location of these camps; and, if so, at what price?

Mr. COLLINS of Mississippi. I understand that \$20,000,000 has been set aside for the purchase of land?

Mr. SNELL. When this matter was originally proposed did the gentleman understand that any such sum of money was going to be set aside for the purchase of land?

Mr. COLLINS of Mississippi. I did not know that any land would be purchased, and I do not believe the Congress contemplated any purchases of land. I doubt the wisdom of such action.

Mr. SNELL. What authority is there for the purchase of land?

Mr. COLLINS of Mississippi. Reading the Executive order on the subject, the authority seems to be based upon the provisions of the act entitled "An act for the relief of unemployment through performance of useful public work and for other purposes."

Mr. SNELL. Does the gentleman think the authority goes to the extent of spending \$20,000,000 for temporary camp sites?

Mr. COLLINS of Mississippi. It has been held so by the Executive. I have a copy of the Executive order dated May 20 authorizing out of that appropriation the expenditure of \$20,000,000.

Mr. BLANTON. Mr. Speaker, will my colleague from Mississippi yield?

Mr. COLLINS of Mississippi. I yield.

Mr. BLANTON. I was just wondering whether our distinguished minority leader voted for that bill. Did the gentleman vote for it?

Mr. SNELL. If I did, I made a mistake, I will tell the gentleman that.

Mr. COLLINS of Mississippi. There was no roll call on the bill. It is difficult to tell how any one voted.

Mr. BLANTON. I did not hear the usual very vigorous and able voice of the great minority leader [Mr. SNELL] fighting anything about that bill.

Mr. SNELL. If there is one thing that has absolutely disappointed the American people it is this reforestation proposition, and the gentleman knows it.

Mr. BLANTON. Then the gentleman made a mistake.

Mr. SNELL. I have made more than one mistake.

Mr. CLARKE of New York. Mr. Speaker, reserving the right to object, I think my leader, for once, has gone wrong upon this reforestation policy—the only time I ever knew him to make a serious mistake.

Mr. BLANTON. Well, then, he must have made a mistake, both coming and going.

Mr. CLARKE of New York. I believe the national reforestation policy has been one of the finest, most constructive, and outstanding pieces of work that ever was enacted into law, and the gentleman from New York, Mr. CLARKE, had a hand in it. [Applause.]

Mr. BLANTON. But, according to the statements of both gentlemen from New York, the minority leader made a mistake, both coming and going.

Mr. SNELL. Well, the gentleman from Texas has made a couple of mistakes himself.

Mr. TABER. Mr. Speaker, reserving the right to object, I wish to ask the gentleman from Mississippi a question.

As I understand it, either today or tomorrow, in order to meet these terrific expenses that we have been pulling off, there will be advertised a bond issue of from \$600,000,000 to \$1,000,000,000. Has the gentleman any information as to that situation?

Mr. COLLINS of Mississippi. No; I have no information on that subject, I regret to say.

Mr. TABER. The bids for this bond issue are returnable on the 22d of June. The gentleman understands, of course, that such a thing is deflationary.

Mr. COLLINS of Mississippi. I am sorry I do not have the information for the gentleman.

Mr. TABER. And as these bonds are issued, we will have to have another shot in the arm of inflation, and this will keep on month after month.

Mr. BLANTON. Mr. Speaker, until we can get the Republican leadership together, I ask for the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLLINS of Mississippi. The matter referred to is as follows:

Number of men, by classes, who will be employed to supervise and facilitate the work of 274,375 enrolled men

[Salary rates given represent net payments to men; 15 percent salary reduction required by act of March 20, 1933, has been deducted in arriving at salary rates given]

Title	Number employed	Net pay after deduction of 15 percent
Camp superintendents.....	8	\$142
Do.....	42	149
Do.....	821	170
Do.....	68	178
Do.....	110	180
Do.....	200	184
Do.....	122	187
Foremen:		
Cultural camps.....	3,917	142
Clean-up camps.....	337	127
Do.....	361	134
Do.....	699	136
Insect-control camps.....	25	119
Do.....	183	127
Blister-rust-control camps.....	409	127
Rodent-control camps.....	17	119
Do.....	92	127
Truck-trail construction camps.....	436	106
Do.....	219	119
Do.....	1,947	127
Miscellaneous construction camps.....	20	106
Do.....	2,411	119
Do.....	626	127
Erosion-control camps.....	58	127
Do.....	63	140
Do.....	526	142
Fire-suppression camps.....	98	136
Spotting foremen at insect-control camps.....	127	\$102
Do.....	178	106
Do.....	42	110
Do.....	25	115
Checkers at blister-rust-control camps.....	59	127
Do.....	331	142
Machine operators.....	102	76
Do.....	471	102
Do.....	327	106
Do.....	1,197	115
Blacksmiths and tool sharpeners.....	107	89
Do.....	638	102
Do.....	410	106
Skilled workers at miscellaneous construction camps.....	239	127
Historical technicians (parks).....	5	170
Landscape foremen for park work.....	750	142
Foresters.....	14	142
Do.....	93	149
Do.....	71	170
Do.....	3	198
Do.....	8	206
Do.....	76	212
Supervising mechanics.....	63	106
Do.....	47	127
Do.....	5	149
Tractor and pump mechanics.....	102	85
Do.....	34	105
Do.....	64	106

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Number of men, by classes, who will be employed to supervise and facilitate the work of 274,375 enrolled men—Continued

Title	Number employed	Net pay after deduction of 15 percent
Truck-trail locators.....	102	\$85
Do.....	8	102
Do.....	98	106
Park engineers.....	27	170
Do.....	20	212
Do.....	2	255
Landscape architects (park).....	27	170
Do.....	20	212
District officers.....	8	255
Clerks.....	105	85
Do.....	76	105
Do.....	266	106
Do.....	42	107
Do.....	66	110
Total.....	20,300	-----

H.R. 4544—EXTENSION OF REMARKS

Mr. STUBBS. Mr. Speaker, I ask unanimous consent to insert in the RECORD a copy of a joint resolution adopted by the General Assembly of the State of California. The petition has been filed, but I would like to have the words of the petition inserted in the RECORD. It is very brief and will only occupy about a half column of the RECORD. It has to do with a bill which I have introduced, H.R. 4544.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD, as indicated. Is there objection?

There was no objection.

The joint resolution is as follows:

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that I have carefully compared the transcript, to which this certificate is attached, with the record on file in my office of which it purports to be a copy, and that the same is a full, true, and correct copy thereof. I further certify that this authentication is in due form and by the proper officer.

In witness whereof I have hereunto set my hand and have caused the great seal of the State of California to be affixed hereto this 26th day of May 1933.

[SEAL]

FRANK C. JORDAN,
Secretary of State.
By CHAS. J. HAGERTY,
Deputy.

Assembly Joint Resolution 29

Adopted in assembly April 14, 1933.

ARTHUR A. OHNIMUS,
Chief Clerk of the Assembly.

Adopted in senate May 12, 1933.

J. A. BEEK, Secretary of the Senate.

This resolution was received by the governor this 17th day of May, A.D. 1933, at 1:45 o'clock p.m.

WM. A. SMITH,
Private secretary of the Governor.

CHAPTER 104

Assembly Joint Resolution 29, relative to memorializing Congress to enact legislation prohibiting the importation of crude petroleum and crude petroleum byproducts

Whereas the oil industry not only of this State but of other States in the United States has found it necessary to curtail production of crude petroleum and the byproducts thereof; and Whereas the petroleum industry is one of the major industries of California and is vital to the welfare of this State and its citizens; and

Whereas one of the reasons it has been necessary to so curtail the production in this State, thereby preventing many of our citizens from obtaining a livelihood, is that crude petroleum and crude petroleum products are being imported into this country; and

Whereas the prohibition of such importation would foster the petroleum industry in this State and, by furnishing employment to thousands of our citizens, thereby substantially contribute to the termination of the present economic depression; and

Whereas the Honorable Henry E. Stubbs has introduced in the Congress of the United States a measure, numbered H.R. 4544, which will forbid the importation of crude petroleum and crude petroleum byproducts, which measure has been referred to the Committee on Ways and Means in the House of Representatives of the Congress of the United States; Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California

most respectfully urges the Congress of the United States to enact H.R. 4544; and be it further

Resolved, That His Excellency the Governor of the State of California be requested to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Chairman of the Committee on Ways and Means of the House of Representatives, and to the Senators and Representatives from California in Congress.

WALTER J. LITTLE,
Speaker of the Assembly.
FRANK F. MERRIAM,
President of the Senate.

Attest:
[SEAL]

FRANK C. JORDAN,
Secretary of State.

(Enclosed:) Filed in the office of the secretary of state of the State of California May 17, 1933, at 4 o'clock p.m.

FRANK C. JORDAN, *Secretary of State.*
By CHAS. J. HAGERTY, *Deputy.*

ADMINISTERING OF OATHS BY MEMBERS OF INTERNATIONAL TRIBUNALS

Mr. BANKHEAD. Mr. Speaker, the Committee on Rules has unanimously voted out a rule for the consideration of the bill (S. 1581) to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, and so forth. After conference with the minority members of the Rules Committee, in order to save time, I ask unanimous consent that instead of calling up the rule, we may have the privilege of considering this bill in the House, under the general rules of the House.

The Clerk read the title of the bill.

Mr. McFADDEN. Mr. Speaker, reserving the right to object, unless the gentleman from Massachusetts [Mr. TINKHAM] is permitted to address the House for 15 minutes, I shall object.

Mr. BANKHEAD. In reply to that statement I may say that the majority leader has had a conference with the gentleman from Massachusetts and I think a satisfactory arrangement has been made.

Mr. McFADDEN. Will the gentleman assure us that this has been arranged?

Mr. BANKHEAD. It has been arranged, so far as the majority leader can arrange it.

Mr. BYRNS. And I hope no one will object to the gentleman's request when it is submitted.

Mr. McFADDEN. I know nothing about any private arrangement. I ask unanimous consent that the gentleman from Massachusetts [Mr. TINKHAM] be permitted to address the House for 15 minutes; otherwise I shall object.

Mr. BYRNS. I have an agreement with the gentleman, and certainly the gentleman from Massachusetts will be permitted to control his own actions.

Mr. McFADDEN. Will not the gentleman present the request to the House at this time?

Mr. BYRNS. I have an agreement with the gentleman from Massachusetts, and certainly he knows what he wants to do.

Mr. McFADDEN. The gentleman knows very well that he cannot control the Membership of this House.

Mr. BYRNS. Let me get through with my statement, if you please. After these rules are disposed of, the gentleman from Massachusetts will ask unanimous consent to speak for 20 minutes, and I hope no one on this side of the House will object.

Mr. McFADDEN. Will not the gentleman submit the request?

Mr. BLANTON. And the gentleman from Pennsylvania ought to realize that the Democrats on this side of the aisle follow their leaders. [Laughter.]

Mr. SNELL. As a matter of fact, I can say to the gentleman that they did not follow him yesterday.

Mr. BYRNS. Of course, the gentleman from Pennsylvania [Mr. McFADDEN] realizes that if he objects to this request, he will be pursuing a course that may prevent the gentleman from Massachusetts making the speech.

Mr. McFADDEN. Unless the majority leader submits the request and gets such permission, I shall object.

Mr. BANKHEAD. Regular order, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. McFADDEN. Mr. Speaker, I object.

PURCHASE OF PREFERRED STOCK OR BONDS OF INSURANCE COMPANIES

Mr. STEAGALL presented a conference report on the bill (S. 1094) to provide for the purchase by the Reconstruction Finance Corporation of the preferred stock and/or bonds and/or debentures of insurance companies.

ADMINISTRATION OF OATHS BY MEMBERS OF INTERNATIONAL TRIBUNALS

Mr. BANKHEAD. Mr. Speaker, by direction of the Committee on Rules I call up the resolution H.Res. 168.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of S. 1581, a bill to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, etc. After general debate, which shall be confined to the bill and shall continue not to exceed 40 minutes, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BANKHEAD. Mr. Speaker, I have no inclination or, indeed, the strength this morning to make any extended statement with reference to the provisions of this rule or the Senate bill for which it provides consideration. This will be fully explained by the Chairman or the Acting Chairman of the Judiciary Committee.

This is a bill that originated in the Senate and passed the Senate unanimously a few days ago upon the urgent recommendation of the Secretary of State and also a representative of American interests on the German Claims Commission.

Mr. FISH. Will the gentleman tell me what committee it was referred to in the Senate?

Mr. BANKHEAD. I regret that I cannot give the gentleman that information.

Mr. FISH. The gentleman states it was recommended by the Secretary of State. Should it not have come to the Committee on Foreign Affairs of the House?

Mr. BANKHEAD. It relates purely to judicial procedure, I may say to the gentleman, and that is the reason it was referred to the Committee on the Judiciary.

Mr. FISH. But it was recommended by the Secretary of State.

Mr. BANKHEAD. It was recommended by the Secretary of State and it was introduced by the Chairman of the Committee on Foreign Affairs, and with his permission, and I presume at his request, it was referred to the Committee on the Judiciary.

As I stated, it is a very brief and simple proposition. It was unanimously reported by the Committee on the Judiciary, and after hearing the parties the Rules Committee has unanimously reported the rule for its consideration.

The substance of the bill merely provides for the use of the auspices of the United States district court in order to give the American citizens who have claims before the Mixed Claims Commission the same authority that the German citizens have to present their evidence, which has heretofore been denied them before the Commission.

I trust there will be no opposition to the bill when it is explained, and that it may have the unanimous support of the House. There is no partisanship involved in it. It is merely an effort to protect legitimate claims of American citizens who have claims before the Mixed Claims Commission.

Unless there is some desire for time on the rule—

Mr. RANSLEY. Let me say to the gentleman that there is no demand for time on this side of the aisle. It is an open rule, and no opposition.

Mr. BANKHEAD. Then, Mr. Speaker, I move the previous question on the adoption of the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering S. 1581, to amend the act approved July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, and so forth.

The motion was agreed to.

Accordingly the House resolved itself in the Committee of the Whole House on the state of the Union, with Mr. JONES in the chair.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SUMNERS of Texas. Mr. Chairman and gentlemen of the Committee, I will try to explain the bill in less time than the 20 minutes allotted to me. I will give you a short explanation of the bill, and then will try to answer questions that may be asked me in further explanation of the bill.

The American agents representing the Government before the German Mixed Claims Commission, dealing with claims, found themselves at a definite disadvantage in trying to prepare their cases for trial. We had not given to our agent any power to take testimony. That is a practical statement of the facts.

When they sought the right to take oral testimony the Commission held that they had not been given the authority to authorize the taking of testimony in that way, and that if the Commission were to attempt to grant the requested authority it would be acting beyond the power given them in the treaty between this Government and Germany creating the Commission.

The German Government has given the power to their agent which, by this bill, is being given to our agent—power to take testimony in the preparation of their cases.

So you see the situation we are in. We have to have this authority in order to place ourselves on an equal footing with Germany.

There was no objection in the Senate Judiciary Committee. The bill passed the Senate unanimously and was reported by the Judiciary Committee of the House unanimously.

There is a good deal of evidence I could offer, and much more could be said in explanation, but realizing the necessity is obvious I do not feel that I should take up further time of the House in explanation.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. SNELL. As I understand from the statement of the gentleman, our attorneys or agents have not the same privilege in preparing their cases that the Germans have.

Mr. SUMNERS of Texas. That is correct.

Mr. SNELL. This is simply to put them on a par with the Germans in preparing cases to be presented before the Mixed Claims Commission?

Mr. SUMNERS of Texas. That is correct.

Mr. McFADDEN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. McFADDEN. This bill provides for commissioners or members of international tribunals to administer oaths. Is that authority confined entirely to the question of war claims?

Mr. SUMNERS of Texas. Will the gentleman direct my attention to the particular language he has in mind?

Mr. McFADDEN. It is on line 4, page 1, of the bill, and the language authorizes commissioners or members of international tribunals to administer oaths. What I want to know is whether or not that will commission people who are connected with the League of Nations and the World Court to administer oaths and compel American witnesses to furnish information to those organizations.

Mr. McKEOWN. Mr. Chairman, will the gentleman from Texas yield to me—

Mr. SUMNERS of Texas. Yes.

Mr. McKEOWN. To say to the gentleman from Pennsylvania that he is referring to the matter of the bill as it was. That is what we are trying to amend.

Mr. McFADDEN. That is the law now?

Mr. McKEOWN. Yes.

Mr. McFADDEN. And this does not grant any additional authority?

Mr. SUMNERS of Texas. Not on that point.

Mr. McFADDEN. To people who might be sent abroad to administer oaths and compel Americans here to furnish testimony in connection with diplomatic matters.

Mr. SUMNERS of Texas. No.

Mr. McFADDEN. The gentleman can assure us it does not involve that kind of a transaction?

Mr. SUMNERS of Texas. I was thinking of the question in the light of this proposed legislation. This proposed legislation begins with section 5.

Mr. McFADDEN. Let me say to the gentleman further, in illustration of what I am driving at, that the French Government is preparing to present four or five billion dollars' worth of claims against the United States when the United States becomes a member of the World Court, and I want to know whether or not officers or supposed representatives of the United States over there can subpoena Americans to substantiate their claims if and when that takes place.

Mr. SUMNERS of Texas. If we may assume that this Government becomes a member of the World Court, this legislation would merely give to our representatives, where property interests are involved, the same power to take testimony as other governments have given to their representatives, and nothing more.

Mr. McFADDEN. The gentleman can see the importance of what I am mentioning?

Mr. SUMNERS of Texas. I can.

Mr. McFADDEN. If and when we join the World Court, international law will bring us into that Court; and I am against our ever entering the World Court, where those French claims will be presented.

Mr. SUMNERS of Texas. Yes.

Mr. McFADDEN. The United States would be at a tremendous disadvantage, and I want to make sure that this is not any authority that will permit that.

Mr. SUMNERS of Texas. This authority is given merely to the American agent in those cases where there is a conflict between governments in their own behalf or between governments representing their nationals, and provides that the representative of the American Government shall have the same authority to prepare his case for trial as have the agents of foreign governments.

Mr. McFADDEN. What I want to be assured of most particularly is that if and when the United States should be drawn into the World Court, which I am very much opposed to—and the United States has an unofficial representative abroad of the type of Norman H. Davis, who is a well-known internationalist—I do not want such representatives as he to force Americans to give testimony which might be detrimental to the best interests of the people of the United States.

Mr. SUMNERS of Texas. I can only repeat myself, that this is merely giving authority to the agent of the Government to take testimony and to be equally as well prepared as his opponent is when the case comes to trial before the Commission.

Mr. HOOPER. Mr. Chairman, will the gentleman yield to me?

Mr. SUMNERS of Texas. Yes.

Mr. HOOPER. It is merely the matching of the power upon the part of members of our Commission that members of a foreign commission have in procedure?

Mr. SUMNERS of Texas. Yes; and I appreciate my friend's statement, because perhaps he can get by with it.

I have stated it four or five times, but it does not seem to stick. Unless somebody else wants to ask questions, I suggest the gentleman from Pennsylvania [Mr. KURTZ] use some of his time.

Mr. KURTZ. Mr. Chairman, as I understand the attitude of this side of the House, it agrees with the majority in every particular. There was no dissenting voice before the committee in reference to this legislation, and it in no way applies to the League of Nations. It merely permits the people of America to have the same rights in commissions that the people of a foreign nation have, and with this bill unpassed we do not have that privilege. Therefore, the members of the minority on the Judiciary Committee are unanimous in favoring the passage of this bill in its present form. I yield back the remainder of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the act of July 3, 1930 (46 Stat. 1005), authorizing commissioners or members of international tribunals to administer oaths, and so forth, be, and the same is hereby, amended by adding at the end thereof the following additional sections:

"Sec. 5. That the agent of the United States before any international tribunal or commission, whether previously or hereafter established, in which the United States participates as a party whenever he desires to obtain testimony or the production of books and papers by witnesses may apply to the United States district court for the district in which such witness or witnesses reside or may be found, for the issuance of subpoenas to require their attendance and testimony before the United States district court for that district and the production therein of books and papers, relating to any matter or claim in which the United States on its own behalf or on behalf of any of its nationals is concerned as a party claimant or respondent before such international tribunal or commission.

"Sec. 6. That any United States district court to which such application shall be made shall have authority to issue or cause to be issued such subpoenas upon the same terms as are applicable to the issuance of subpoenas in suits pending in the United States district court, and the clerk thereof shall have authority to administer oaths respecting testimony given therein, and the marshal thereof shall serve such subpoenas upon the person or persons to whom they are directed. The hearing of witnesses and taking of their testimony and the production of books and papers pursuant to such subpoenas shall be before the United States district court for that district or before a commissioner or referee appointed by it for the taking of such testimony, and the examination may be oral or upon written interrogatories and may be conducted by the agent of the United States or his representative. Reasonable notice thereof shall be given to the agent or agents of the opposing government or governments concerned in such proceedings who shall have the right to be present in person or by representative and to examine or cross-examine such witnesses at such hearing. A certified transcript of such testimony and any proceedings arising out of the issuance of such subpoenas shall be forwarded by the clerk of the district court to the agent of the United States and also to the agent or agents of the opposing government or governments without cost.

"Sec. 7. That every person knowingly or willfully swearing or affirming falsely in any testimony taken in response to such subpoenas shall be deemed guilty of perjury, and shall, upon conviction thereof, suffer the penalty provided by the laws of the United States for that offense when committed in its courts of justice. Any failure to attend and testify as a witness or to produce any book or paper which is in the possession or control of such witness, pursuant to such subpoena, may be regarded as a contempt of the court and shall be punishable as a contempt by the United States district court in the same manner as is provided by the laws of the United States for that offense in any other proceedings in its courts of justice.

"Sec. 8. For the purposes of sections 5, 6, and 7 of this act, the Supreme Court of the District of Columbia shall be considered to be a district court of the United States."

The CHAIRMAN. Under the rule the Committee automatically rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JONES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 1581, and pursuant to House Resolution No. 168, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion by Mr. McKEOWN, a motion to reconsider the vote by which the bill was passed was laid on the table.

NATIONAL EMPLOYMENT SYSTEM

Mr. O'CONNOR. Mr. Speaker, I call up the resolution, H. Res. 157, a privileged resolution, with an amendment.

The Clerk read as follows:

House Resolution 157

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H.R. 4559, entitled "A bill to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", and all points of order are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on Labor, the bill shall be read for amendment under the 5-minute rule. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

With the following amendment:

On page 1, line 10, strike out the word "three" and insert in lieu thereof the word "two."

Mr. BLANTON. Mr. Speaker, I reserve a point of order just for the purpose of getting some information.

From what committee does this bill come?

Mr. O'CONNOR. From the Committee on Labor.

Mr. BLANTON. Is it a unanimous report?

Mr. O'CONNOR. I understand so.

Mr. BLANTON. Is this a bill that was sent here by the President?

Mr. PEYSER. Yes.

Mr. BLANTON. The President sent it here?

Mr. PEYSER. Yes.

Mr. BLANTON. This has not only the approval of the President but it is the expressed wish of the President that it pass?

Mr. PEYSER. Yes.

Mr. BLANTON. I withdraw the reservation of objection.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. O'CONNOR. Mr. Speaker, this rule provides for the consideration of the House bill, H.R. 4559, introduced by the gentleman from New York [Mr. PEYSER], and reported by the Committee on Labor of the House in a report filed by the chairman of that committee, Mr. CONNERY. I understand, however, there is a Senate bill on the desk practically identical which it is desired should be considered.

I move to amend the rule, Mr. Speaker, in line 4, by striking out "H.R. 4559" and inserting "S. 510", and by striking out the words "a bill" and inserting the words "an act."

The Clerk read as follows:

Amendment by Mr. O'CONNOR: Page 1, line 4, strike out "H.R. 4559" and insert in lieu thereof "S. 510"; in the same line, on the same page, strike out the words "a bill" and insert in lieu thereof the words "an act."

Mr. GOSS. Is the Senate bill identically the same?

Mr. O'CONNOR. Not quite. It is practically the same.

Mr. MARTIN of Massachusetts. Will the gentleman explain what the differences are?

Mr. O'CONNOR. In reply to the gentleman from Massachusetts [Mr. MARTIN] and also the gentleman from Connecticut [Mr. GOSS] the differences between the bills will be met by amendments offered by the Committee on Labor. The House committee put some amendments on the Wagner bill, and they propose now to consider the Wagner bill and offer amendments which they want adopted to the Wagner bill in the House.

Mrs. ROGERS of Massachusetts. Will the gentleman yield for a question?

Mr. O'CONNOR. Yes; I yield.

Mrs. ROGERS of Massachusetts. Will the veterans' employment offices be in the bill with the amendment which the committee will offer?

Mr. O'CONNOR. They will be maintained separately, I understand.

Mrs. ROGERS of Massachusetts. They are desperately needed at this time.

The SPEAKER. The question is on the amendment offered by the gentleman from New York [Mr. O'CONNOR].

The amendment was agreed to.

Mr. O'CONNOR. Mr. Speaker, by the passage of this resolution we will accomplish what we tried to accomplish in the last Congress. As Members of the House who were Members of that Congress will recall, the House and Senate passed the so-called "Wagner employment bill" (S. 150), but it was vetoed by pocket veto by President Hoover. This bill sets up Federal employment agencies to work in cooperation with the State agencies, and grants aid to State agencies which do cooperate. The veterans' employment agencies now maintained by the Federal Government will be maintained separately for the veterans.

There is an authorization of an appropriation of \$1,500,000 for the coming fiscal year and \$4,000,000 for each of the 4 years thereafter.

The House, after thorough consideration in the last Congress, enthusiastically supported the Wagner bill as one of the best methods of obtaining employment for the unemployed of America, and I am sure that spirit still prevails in this House, and that the House will again pass this employment agency bill.

Mr. DOWELL. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. DOWELL. In what respect does the present bill differ from the bill that passed in the House at the last session?

Mr. O'CONNOR. I understand one of the two amendments that will be offered pertains to the veterans' employment agencies, and the other, as I understand, pertains to giving the States an opportunity to cooperate, but if they do not cooperate within a certain time the aid will be withdrawn from them.

Mr. DOWELL. As I understand the gentleman, the veterans' department will be separate from the other department in the legislation?

Mr. O'CONNOR. So I understand.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the adoption of the resolution.

The resolution was agreed to.

Mr. CONNERY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 510) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 510, with Mr. HASTINGS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CONNERY. Mr. Chairman, this bill is what was known originally as the Wagner bill. It is the bill which passed the Senate and the House during the last session of Congress and was vetoed by President Hoover.

This is a bill to provide for the establishment of a national employment system throughout the States and for cooperation with the States in the promotion of this sys-

tem. In other words, the States are to be given an opportunity to cooperate with the Federal Government in this employment measure.

The Secretary of Labor lately closed all of the Federal employment offices except the veterans' offices. This bill will start a new system of cooperation with the States. The States will have an opportunity to save their own offices with aid from the Federal Government in these offices.

There has been a duplication of this work and that is the main reason they would like to do away with the Federal offices as such and cooperate with the States, making the offices combined Federal and State offices.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. MARTIN of Massachusetts. Are we to understand, then, that every employment office must have State contribution in order to be maintained?

Mr. CONNERY. Yes.

Mr. MARTIN of Massachusetts. There will be no office where the Federal Government will bear the entire expense?

Mr. CONNERY. No. In future offices the States will contribute toward their establishment and they will be combined Federal and State offices.

Mr. MARTIN of Massachusetts. And the procedure, if any of these offices should close would be for application to reestablish the office to be made to the State authorities.

Mr. CONNERY. Yes. We have made an exemption here. We have put in a committee amendment in reference to the veterans. We have provided that the veterans' offices must be kept up in every State where there is an employment office. We feel that the veterans' problem is different from the general unemployment problem.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mrs. ROGERS of Massachusetts. Must the States subscribe to the veterans' offices or will they be maintained by Federal appropriations?

Mr. CONNERY. They will be maintained by Federal appropriations.

Mrs. ROGERS of Massachusetts. I understand also that a veteran must be appointed as the head of a veterans' employment office, and also that everyone employed in the office must be a veteran or a relative of a veteran.

Mr. CONNERY. Yes; the committee amendment so provides.

Mrs. ROGERS of Massachusetts. Thus, it will mean more work for the veterans. They need work desperately at this time.

Mr. CONNERY. Yes. We feel that the veterans' problem is different from the ordinary employment problem and that a veteran would be a little more interested in getting his "buddy" a job. We have provided that in these veteran employment offices in the States the director must be a veteran.

We found from the hearings and experience in the past that in many cases an employer did not want to hire a veteran because he figured the veteran may have been gassed or disabled and could not do the work as well as somebody else. So we have provided that a "buddy" will be in charge of the veterans' office, feeling that he will be more interested in securing work for his comrades than a man who is not a veteran.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. DOWELL. In the matter of the cooperation of the several States we assume, of course, that all the States will cooperate. How is the division of expenditure to be made as between the Federal Government and the States?

Mr. CONNERY. The bill provides that no payment shall be made in any year out of the amount of such appropriations apportioned to any State until an equal sum has been appropriated or otherwise made available for that year by the State.

Mr. DOWELL. In other words, if the State does not make provision for the taking care of unemployment the Government does not open an office in that State?

Mr. CONNERY. We have a provision to take care of that also, reading as follows:

During the current fiscal year and the 2 succeeding fiscal years the Director is authorized to expend in any State so much of the sum apportioned to such State according to population, and so much of the unapportioned balance of the appropriation made under the provisions of section 5 as he may deem necessary, as follows:

(a) In States where there is no State system of public employment offices, in establishing and maintaining a system of public employment offices under the control of the Director.

(b) In States where there is a State system of public employment offices, but where the State has not complied with the provisions of section 4, in establishing a cooperative Federal and State system of public employment offices to be maintained by such officer or board and in such manner as may be agreed upon by and between the Governor of the State and the Director.

The authority contained in this section shall terminate at the expiration of the period specified in the first paragraph of this section, and thereafter no assistance shall be rendered such States until the legislatures thereof provide for cooperation with the United States Employment Service as provided in section 4 of this act.

In other words, some of these legislatures do not meet until 2 years from now and we did not want any of these States to be deprived of an employment office for 2 years, or until their legislatures met, knowing they would be willing to cooperate with the Federal Government in contributing to the expense of this proposition.

Mr. DOWELL. In other words, the Federal Government takes care of the situation until the States have the opportunity to take care of it.

Mr. CONNERY. Yes.

Mr. DOWELL. But the veterans' department, however, is maintained by the Government and continues from the passage of the act?

Mr. CONNERY. That is maintained by the Federal Government.

Mr. JOHNSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. JOHNSON of Texas. Is this measure substantially the same as the bill known as the "Wagner bill" which was vetoed by President Hoover?

Mr. CONNERY. It is.

Mr. ARNOLD. Mr. Chairman, will the gentleman yield at this point?

Mr. CONNERY. I yield.

Mr. ARNOLD. I wish the gentleman would give us some idea as to the personnel and salary set-up in each of these agencies.

Mr. CONNERY. If my memory serves me right, I think the director in the State offices got about \$3,000 a year. Then we cut them down. I think the highest salary paid was \$4,000 a year in some States.

Then we cut them down to \$3,200 or \$3,000.

Mr. ARNOLD. What is the number of the personnel?

Mr. CONNERY. Some offices have 2, some 3, and some 4. It depends on the population of the State or the condition in the city where the offices are opened.

Mr. ARNOLD. Can the gentleman advise us how much per annum it will take to run each one of these offices, approximately?

Mr. CONNERY. They gave us some figures about that in the hearings; and if my memory serves me right, the total cost was around \$250,000.

Mr. PEYSER. If the gentleman will yield, I think I can answer that question.

Mr. CONNERY. Yes; I yield to the gentleman from New York [Mr. PEYSER], the author of the bill, to answer the gentleman.

Mr. PEYSER. The entire appropriation in connection with the service which has been maintained, it was shown in the hearings, was about \$978,000, of which seven hundred and some odd thousand dollars was used for salaries in the Washington offices. So there was very little used in the offices throughout the country, which is evidently the reason

they are disposing of them. They were not functioning properly, and the hearings also brought out that the veterans' offices are maintained at about \$8,000 per office per year. They maintain 30 offices, which it was shown cost about \$250,000 to keep up.

Mr. ARNOLD. I thank the gentleman for the information.

Mr. CONNERY. In further answer to the gentleman there are 30 offices in which the manager gets \$2,200 or \$2,000, and there are 22 of these managers getting \$2,400. It was \$3,000 and we cut them down to this amount.

Mr. ARNOLD. That is the information I wanted, and I thank the gentleman.

Mr. GRANFIELD. Will my distinguished colleague from Massachusetts yield?

Mr. CONNERY. Yes.

Mr. GRANFIELD. As I understand the gentleman's statement, this bill is substantially the same as the Wagner bill which passed both branches of the Congress about a year ago.

Mr. CONNERY. Yes.

Mr. GRANFIELD. And it was pocket-vetoed by President Hoover.

Mr. CONNERY. Yes.

Mr. GRANFIELD. My recollection is that at that time President Hoover stated the employment service in this country was adequate. What are the reasons for bringing in this resolution now if the employment service under the last administration operated properly and met the needs of the country?

Mr. CONNERY. The employment system under the last administration was not adequate—not only that, but it did not function. Many of these employment offices should have been abolished long ago because they did not do the work. They could not cooperate with the States. They were duplicating the functions of employment offices in the States, and Senator WAGNER was fighting on this bill for a long time to get it before the Congress so we could do away with the duplication and get real efficiency in these employment offices.

Mr. GRANFIELD. And the proposed legislation will do away with that system?

Mr. CONNERY. It will do away with that system and cause the formation of real employment offices.

Mr. GRANFIELD. Will the gentleman yield further?

Mr. CONNERY. Yes; I yield to my colleague.

Mr. GRANFIELD. I would be amiss in my duty to the Members of this House if I did not take the time this afternoon to bring to their attention the attitude of the last administration toward the Wagner unemployment relief measures. The older Members will recall that Senator WAGNER, after spending months of study, evolved three measures, which were presented to the Congress for consideration. His program of unemployment relief was proclaimed throughout the country as the most constructive program offered to meet the crisis which was then confronting the Nation. The Hoover administration received this program very coldly and immediately displayed an unsympathetic attitude toward it.

Although the three measures were approved by the Congress, President Hoover affixed his signature to one of them without comment; he signed the second measure, and in a public declaration attempted to take from Senator WAGNER the great credit that was due him. The third measure, which is embodied substantially in the legislation under consideration today, received his pocket veto. At that time he declared the bill was unnecessary. Those of us who supported the Wagner measures were in absolute disagreement with the President's opinion and with his action.

We are informed today by the distinguished chairman of the Committee on Labor that the Hoover employment service has been valueless as an aid to the jobless in this country, and that the legislation before us is indispensable.

In reading over this bill I find a provision for the continuance and promotion of a system which will place in employment veterans of our wars. I am happy that this

service is to be afforded our veterans. In view of the manner in which the Economy Act is being administered—and I must say its administration at present is unjust and is working great hardships upon our veterans—that this system which will enable veterans to be cared for in employment is a praiseworthy adjunct to the bill. It is apparent that this bill will receive the unanimous support of the Membership of this House, and I am happy to have the opportunity to vote again for this constructive piece of legislation which is so essential to unemployment relief and which provides a system of procuring jobs which will prove indispensable as the years go by.

I wish to thank my distinguished colleague from Massachusetts for this opportunity to address the House.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from Missouri.

Mr. COCHRAN of Missouri. The gentleman from Massachusetts should know how the employment service was conducted by the last administration. We practically had nothing but a political set-up.

Mr. CONNERY. That is right.

Mr. COCHRAN of Missouri. Men who were not qualified were placed in charge of the offices, and yet this bill provides for the holding-over of the same men for 6 months. What explanation can the gentleman give for that?

Mr. CONNERY. It does not provide for holding them over because they have already been fired.

Mr. COCHRAN of Missouri. I take issue with the gentleman because they have not been discharged.

Mr. CONNERY. All these offices have been closed except the veterans' offices.

Mr. COCHRAN of Missouri. And you have men in the veterans' offices who are not subject to the Civil Service and have not been giving the service they should give.

Mr. CONNERY. We have an amendment here to take them out of the Civil Service so the Secretary of Labor can appoint real, efficient men to do this job.

Mr. BACON. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. BACON. I think the gentleman from Missouri exaggerates somewhat. As far as my own experience is concerned, I had a very efficient Democrat appointed in the New York office. [Laughter and applause.]

Mr. DINGELL. Is it not true that the real difference in the new set-up as compared with the old is the abolishing of the centralized agency, which took up most of the appropriation here in Washington, and to establish these offices far and wide throughout the Nation?

Mr. CONNERY. Spread them throughout the Nation; yes.

Mr. DINGELL. Where they can, in fact, perform the service to the workmen of the Nation.

Mr. CONNERY. Make them really efficient and have all the States cooperate. Now the States just look on it as a little branch of the Federal Government and do not pay much attention to these offices.

Mr. DINGELL. In other words, we were spending about \$700,000 here in Washington when the agencies should have been in the hinterland or in the backwoods.

Mr. CONNERY. I may say to the gentleman that in many cases, to be just to the directors of these offices, very fine work was done. It all depended on the personnel of the offices, but they could not cooperate with the States, and that was the trouble.

Mr. DINGELL. And there were altogether too few of them in the field.

Mr. CONNERY. Yes.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. CONNERY. Yes.

Mrs. ROGERS of Massachusetts. I am very glad the gentleman made that statement, because I know that business men and the industries were very much interested in having these offices continued, as well as the men who were receiving jobs. They all found them very helpful. The director of the offices in the State was very able, and his office

has been highly endorsed. In my own city of Lowell we were supposed to have had the finest branch office in the entire State.

Mr. CONNERY. Outside of Lawrence.

Mrs. ROGERS of Massachusetts. And very fine work was done by that office. They were both fine.

Mr. KENNEY. This employment service will be rendered entirely free, and the applicant will not be charged anything for the service.

Mr. CONNERY. That is true.

Mr. BLANTON. There was a small employment office placed in my district and it served 150 square miles of territory.

It has only three employees, and the highest paid was \$2,000 a year. It had its rent furnished by the people. The fixtures and paraphernalia were furnished free, and I am sorry to say that the present department entered an order abolishing the office when it was placing a large number of deserving people in positions. Under this bill we have been promised that these offices will be restored.

Mr. CONNERY. They will be restored.

Mr. HEALEY. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. HEALEY. What is to be done to cooperate with the States who already have employment service?

Mr. CONNERY. It will be just the same as it is in the highway system; they will cooperate with the Federal Government and thus do away with duplication.

Mr. PARSONS. Will the gentleman yield?

Mr. CONNERY. I will yield.

Mr. PARSONS. Does the gentleman mean to say that this set-up will be new, that it will be apart and separate from the agencies of the State?

Mr. CONNERY. We are setting up these to encourage the States to set them up, and we will go on a 50-50 basis. It is to aid and to encourage the States to start employment offices, if they have not got them already.

Now, I do not want to take up any more time, I want to yield to some other gentlemen. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, Decoration Day in memory of and honor to the dead comes but once a year. I believe in memorializing the living as well as the dead. To do that we can utilize any one of the 365 days of the year.

To our appreciated new Members of the House, I want to say that the distinguished chairman of the very important Committee on Labor, Hon. WILLIAM P. CONNERY, Jr., of Lynn, Mass., is one of the most delightful personalities we have in Congress. He is an earnest, honest, conscientious, able, and energetic representative of the people. He may lack several inches of being 6 feet tall, and he may not weigh over 140 pounds, and yet in my judgment he is one of the really big men of this House of Representatives. [Applause.]

BILL CONNERY is one of the most lovable characters I ever knew. He is everybody's friend. And everybody is his friend. With his genial disposition he radiates sunshine around his colleagues constantly. Although he has a Master of Arts degree, he is not a lawyer, or a doctor, or a preacher, but in his warm heart he has a deep and eternal affection for his fellow man.

No other Member of this Congress is better qualified than he to serve as Chairman of the Committee on Labor. He has an intimate knowledge of the struggles, and trials, and tribulations of the great army of men who must labor for their daily bread. He knows how much it takes to feed them. He knows what it requires to clothe them. He knows just what it costs to house them. He knows the great sacrifices that families of the workmen must undergo to pay for medicine, doctor bills, dentist bills, schooling and books for the children, and for the other many necessities of life. He knows how little time, and opportunity, and means they have for pleasure and recreation. He is in a position to sympathize with their walk in life. And he has for them a sympathy deep and unshakable. He is their loyal, dependable friend.

As a skilled actor in the theatrical profession he was a great entertainer. He received his training in Lynn, Mass., Montreal, Canada, and Worcester, Mass. He first chose a profession which gave him the opportunity to put gladness in people's hearts and divert their minds from cares and troubles. And then the cruel World War called him to our colors.

On August 23, 1917, WILLIAM P. CONNERY, Jr., enlisted as a private in Company A, One hundred and first Regiment United States Infantry, and served 19 months in France, taking part in all major operations, engagements, and battles of that regiment in the Twenty-sixth (Yankee) Division, and won promotion for meritorious service. The people of the Seventh District of the great Commonwealth of Massachusetts honored themselves by electing him to Membership in this House in the Sixty-eighth Congress. He has been reelected ever since, and on one occasion received the nomination of both major parties. And with his experience and his general knowledge of governmental affairs and the prestige that goes with his seniority, I feel sure that his worthy constituents will keep him here for many years to come. He deserves it all. [Applause.]

[Here the gavel fell.]

Mr. CONNERY. The gentleman has said so many nice things about me I now yield him 2 minutes on the bill. [Laughter.]

Mr. WELCH. I yield the gentleman 5 minutes more.

The CHAIRMAN. The gentleman from Texas is recognized for 7 additional minutes.

Mr. BLANTON. Mr. Chairman, I am deeply grateful to my good friend from Massachusetts [Mr. CONNERY] and to my good friend from California [Mr. WELCH] for their kindness in yielding additional time. Both are to be commended for efforts they are continually exerting in behalf of labor. This Senate bill they have favorably reported from their committee is one they have been seeking to pass for several years. President Hoover stood in the way of their passing it in the last Congress.

I will show you exactly why it is needed. Until May 1, 1933, there was a United States employment office in my home city of Abilene, Tex., conducted by three small-salaried Government employees, Mr. Roy Savage receiving \$2,000, Mr. Lloyd B. Thomas receiving \$1,800, and Miss Kate Rathmell receiving \$1,500 per year. The Government paid no rent. My constituents furnished them an office free. It gave them furniture free. It had the help and friendly cooperation of the chamber of commerce and of all the clubs of Abilene.

During last year, with this very small cost to the Government, this one office placed 9,500 idle men in employment. During January, February, March, and part of April this year this one office, manned by only three low-salaried employees, found jobs for and placed in employment 3,490 heads of families. But to the great surprise of everyone, there was sent to it on April 22, 1933, the following telegram:

WASHINGTON, D.C., April 22, 1933.

ROY R. SAVAGE,
United States Employment Service,
917 North Second Street, Abilene:

By direction of the Secretary of Labor your office will be closed April 30 and your services as manager and those of Lloyd B. Thomas, assistant, and Kate Rathmell, stenographer, will terminate that date. Arrange to keep office records intact pending later instructions regarding their disposition. Acknowledge by wire.

JOHN R. ALPINE.

While the above telegram was sent over the name of John R. Alpine, former director of the United States Employment Service, I was informed that he had been succeeded by a woman as director, appointed by Miss Frances Perkins, Secretary Department of Labor. My office immediately sent the following telegram:

ABILENE, TEX., April 25, 1933.

HON. FRANCES PERKINS,
Secretary of Labor, Washington, D.C.:

Your director Alpine has wired United States employment office here to close April 30. I sincerely hope that you will not permit such foolish and ridiculous action. During last year after January 16 this Abilene office placed 9,500 men in employment. Dur-

ing less than 4 months this year it has found jobs for 3,490 heads of families, and is vital factor serving area of 150 miles square, at an expense of only three low-salaried Government employees. There would be just as much wisdom in abolishing entire Department of Labor. I respectfully request that such closing order should be rescinded, and this most valuable office continued. Please wire me your reaction.

BLANTON, Congressman.

Hon. C. W. Woodman, of Fort Worth, Tex., was the State director for Texas of this service. He sent me glowing reports of the splendid work of this Abilene office. He was getting wonderful results all over the State. To show that this office was closed without his approval I quote his letter as follows, to wit:

DEPARTMENT OF LABOR,
UNITED STATES EMPLOYMENT SERVICE,
April 24, 1933.

Mr. ROY R. SAVAGE,
Manager United States Employment Service,
917 North Second Street, Abilene, Tex.

DEAR MR. SAVAGE: The first intimation I had of the closing of the Abilene office was your letter of the 22d quoting wire received by you and the one that you wired Washington. It must be a matter of finances that brought about this change.

I think you know how I feel in matters of this kind.

Yours truly,

C. W. WOODMAN, Texas State Director.

Immediately upon learning that this employment office had been ordered closed, 468 citizens of Abilene, Tex., signed the following petition to the Secretary of the Department of Labor, which my office, on April 25, 1933, forwarded to said Department of Labor, to wit:

ABILENE, TEX., April 25, 1933.

We, the undersigned citizens of Abilene, Tex., all having our application for work placed with the local office of the United States Employment Service, hereby endorse the Abilene office and its personnel. For more than 1 year we have been in constant contact with the employees of this office, during which time they have assigned to us the distribution of relief work, as well as placed men in outside work.

We have found the United States employment office of great benefit and service to ourselves and the community. We have found the officials in charge of the office always fair and courteous, and we believe they have at all times favored the best interests of the unemployed.

It is our hope that the present office and personnel will be continued until normal times return.

I have a copy of this petition in my office signed by said 468 citizens, and some of them I know to be as worthy as any citizens in the United States. It was an inexcusable error to close up that office. The Government got more of value out of the small amount of money expended than it has received from any similar amount ever expended for any purpose.

I took this matter up personally with the new Director of Employment down at the Department of Labor, and I learned that the only chance to get this office restored was through the passage of this bill now before the House. I am confidently expecting and depending upon the Department of Labor and the United States Employment Service to restore this office as soon as this bill becomes effective.

From the official report of this Abilene, Tex., office for the 1 month of March 1933, I quote the following:

Of the 925 placements for the month, 160 were permanent or became inactive on the file by reason of having secured regular part-time jobs. The total number of days' work resulting from all placements, both permanent and casual, was approximately 9,250 days.

From the special report sent me by this office I quote the following:

In canvassing the town I find practically every business man, salaried man, and rent house owner is doing something for someone less fortunate; but when we talk with these people they generally become convinced they have not done enough and give us a few days' work for some good man in their yard, garden, or house. As you doubtless realize, our unemployed consist chiefly of common laborers who are in conditions of actual want, and our first efforts have been toward somewhat alleviating this suffering.

When we remember that all the foregoing was accomplished by three low-salaried Government employees, and then remember the facts given us by the gentleman from Mississippi [Mr. COLLINS] that there has been employed a civil personnel of 20,000 employees drawing an average of about

\$140 per month used to give forestry work to the young boys now in camp drawing \$1 per day, it will convince anyone that a great mistake and blunder was made by some official in the Department of Labor in closing this employment office at Abilene, Tex., on May 1, 1933. I sincerely hope it will be restored. The facts about this one office illustrate and exemplify the purpose and scope of one of the main features of this bill now before this House for passage.

On April 30, 1933, most of the employment offices in the United States were abolished. We have no chance whatever to reestablish those offices except under this bill. I shall have the opportunity to revise and extend my remarks, of which I intend to avail myself, and I shall not impose further upon the time of the Committee. I ask unanimous consent to insert certain extracts in my remarks, and yield back the remainder of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CONNERY. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. THOM].

Mr. THOM. Mr. Chairman, I feel there is an opportunity for great usefulness under the terms of this bill for the creation of a national system of employment agencies. It is my belief that even with the return of normal business we shall have to deal with the problem of chronic unemployment. I believe that the displacement of men by machinery is so wide-spread that it presents to us, at least temporarily, one of the most serious problems that confront us as a people. I am hopeful that this system of employment agencies will not only seek to find jobs for men but that it will collect statistics and facts about the causes of unemployment, so that we may take steps to remedy the evil. After all, if in this society we have liberty and freedom, those things are insufficient and wholly inadequate, if we do not have the opportunity to work. In our complex civilization the right to work is becoming a sacred right in the minds of a great many progressive thinkers.

Up to this time we have never had correct statistics on unemployment. It is a reflection on our Government that we have failed in this respect. It will be recalled that at the outset of the depression the discussion centered largely around the number of unemployed in this country. It was a very futile argument, because it mattered not a great deal how many were unemployed, because the very fact of unemployment should have served as a danger warning, as a notice to Congress and to legislators that something must be done. As it was, we wasted a great deal of our time discussing the question of how many unemployed there were. I feel safe in saying that the estimate now given of 12,000,000 unemployed cannot be substantiated. I do not think there are any services, either private or otherwise, that can be accurate about these figures.

It is ridiculous that we, as a government, have been collecting statistics as to the number of cotton spindles, for instance, in operation; as to the number of bushels of wheat that are milled, which reports come to us practically every week; and yet have neglected to have definite and concise, thoroughgoing, and reliable statistics on this problem of human unemployment. The very basis of solution is first a knowledge as to its extent and as to its causes.

I feel very friendly to this legislation and I hope the system will be officered by men of vision and competency, so that it shall become not merely a system to provide a few jobs for employment-agency clerks, but that the staff shall consist of men who are principally interested in the solution of the problems of unemployment.

May I be permitted to make a few observations on the road back to employment and especially of the part the public works bill, already passed by the House of Representatives, will have in hastening our recovery, in the event this measure is finally enacted into law?

It is my understanding that in our economic history panics have usually seen the building industry and/or the railroads take the lead in recovery. Cheap material and cheap labor, together with easy money, induced capital to

come out of hiding. This brought large-scale building with growing employment. The capital investment in turn gave men consuming power with which to purchase shoes, clothing, and other consumers' goods for themselves and their families. Benefits thus rapidly flowed to the so-called "lighter industries", such as textiles and shoes. Usually in step with the construction business, the railroads, foreseeing an increased movement of freight, began buying rails and setting hundreds of men to work on roadbeds, doing the necessary repairs that had been neglected during the period of a depression.

But these are different times. The construction industry seems to show little or no life, due to the utter collapse of our banking and credit system. Where at the present time are long-time loans available for permanent construction? To me it seems utterly out of the question for building, privately financed, to help lead us up out of the depression in the near future.

I now call your attention to the plight of the railroads. Their credit is gone, their dividends suspended. A new competitor in the field—the automobile truck—has disorganized the transportation business. As a result, those wholesale orders for car equipment that so often in the past transformed poor business into thriving business in a remarkably short time are not in sight. It is to be noted also that the private passenger automobile has given each man his own railroad. These automobiles, by and large, are in a dilapidated condition and many need replacement. Unfortunately this private rolling stock cannot be replaced through the use of credit on the broad scale that has marked railroad financing.

Now the public works bill undertakes the business of bringing to life the construction and building industry of the country, so much of which is centered in the great industrial States of Ohio, Pennsylvania, New York, and Illinois, where unemployment has produced its great distress. I see no way out of the situation except through a public works bill, administered sanely, and including truly beneficial projects to be carried on simultaneously with an encouragement of private industry. Of course, the public-works program to help break the depression involves Government financing, for credit is not obtainable elsewhere.

Some idea of the slump in building may be gained by these figures: All contracts in the United States in 1929 amounted to over \$10,000,000,000; in 1932 the total was \$2,839,000,000. How many men were sent into the unemployed ranks by this slump in this one field of activity it is hard to estimate. However, we know from our own observations that the carpenter, bricklayer, plumber, and other building mechanics have long been idle in our large cities.

Much of the work proposed in the public works bill is of such nature as sewers, grade-crossing removals, roads, and so forth, that can under no circumstances be considered economic waste. These projects eventually will be needed unless our whole society falls back into a state of unprogressiveness. I am not pessimistic enough to believe this will happen. Slum clearance in the large cities is another project that will contribute greatly to social welfare, and it has been executed through limited-dividend corporations, owned by private stockholders, in New York City, with great success.

Our first public-works programs were not as stimulative of business as they might have been, for the reason that the competition for these public jobs was so intense as to depress unduly the prices of materials, and the fierce rivalry sent labor in many instances down to starvation wages.

I have reports from Ohio made by a public-relief committee in my district, showing that plants furnishing material for public buildings have been paying such low wages that a worker and his family the next day after factory labor stopped, or even before, had to be transferred to the public-relief rolls. A specific instance is cited by this relief committee of a concern that has been furnishing material for Government work whose employees agreed to forego wages and participate in profits. Under this arrangement one man by affidavit says he received \$1.29 for 44½ days'

labor and another 93 cents for 48 days of labor. This sort of wage payments depressed the price of building products, so that other concerns paying the low wage of \$1.50 a day could not compete. No wonder then that this relief committee was constrained to say:

From the foregoing those engaged in the work of administering relief are compelled to feel that the public-works programs of the past have not greatly helped in reducing unemployment, nor have helped to restore any measure of self-support to the men engaged. Instead the work of relief is made more difficult by the fact that owing to the extremely low wages are being reconciled to living on public help. Under the competitive conditions heretofore, it is almost impossible for anyone to be successful in obtaining a Government contract at a price which does not require orders for materials to be placed at such a level as to force manufacturers greatly to reduce their normal cost. These reductions must finally rest upon the shoulders of labor, since in the last analysis labor is the principal cost in the production of raw materials.

This sort of unfair competition, that makes for long hours and starvation wages, is sought to be reached in the codes of trade practices prescribed for industry by the terms of the public works bill. This self-regulation of industry under Government control is to continue for the emergency period. It is the hope that these stabilizing factors which will tend to assure a profit to manufacturers will invite the use of bank credit, that is now so slow in expanding. It is to be remembered, however, that self-regulation of industry calls for a great measure of restraint, to the end that the consuming public shall not be oppressed. Even those who hope for high results from this type of legislative control realize that it is highly experimental and that it will require sound judgment on the part of participants, both labor and capital, to prevent it from being a burden that will invite public condemnation.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CONNERY. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. TRUAX].

Mr. TRUAX. Mr. Chairman, I want to add, if I can, to the remarks of the gentleman from Texas [Mr. BLANTON] in regard to the sterling character and worth of the gentleman from Massachusetts [Mr. CONNERY], the chairman of this committee. When I arrived in Washington the week of March 4, one of the first gentlemen I had the pleasure of meeting in this House was Mr. CONNERY, through a mutual friend back home in Akron, Judge O'Neil, who was a classmate of the gentleman from Massachusetts in college. I think while we are passing bouquets, it would not be a bad idea for some of us Democrats to thank the gentlemen on the minority side for the splendid cooperation they have given us in practically all bills affecting labor and agriculture.

Mr. PARSONS. Mr. Chairman, will the gentleman yield?

Mr. TRUAX. Yes.

Mr. PARSONS. Is this a testimonial meeting this morning or is it a session for the purpose of explaining the merits of this bill?

Mr. TRUAX. It is a little of each. The great problem in all of our minds has been the unemployment problem. Twelve million men are out of work. While those who do toil are fighting a losing battle, wearing out hand, head, and heart for a crust that becomes scantier, evermore bitter, there have been millions, tens of millions, who cannot even obtain the poor privilege of tramping on this treadmill, and they are sinking deeper day by day into the slough of despond, deeper into that most frightful of all Gehennas, the hell of want, and so this bill, with its companion bill and these amendments thereto, the Wagner bill, in my humble judgment, is one of the most important measures that this Congress will have enacted. We have restored already a very marked advance in the price of agricultural commodities through the anticipation of what the farm relief bill will accomplish.

Stocks and bonds and securities have mounted in value in anticipation of what inflation and abandonment of the gold standard will do for this country, but as yet the men back in the cities, the men in the small towns, and the men in the villages are still idle and unemployed and must depend

upon charity and upon Government doles for support. For the first time in the history of this Government, I believe, the Wagner bill, authorizing an appropriation of \$500,000,000 for the employment of men who do not wish to be dependent upon charity, who do not seek Government doles, but who want to earn their bread honestly and by the sweat of their brow, will provide employment for such men.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. TRUAX] has expired.

Mr. WELCH. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. WOOD].

Mr. WOOD of Missouri. Mr. Chairman, after the many eloquent speeches that have been made I do not desire to take up much time, but there are a great many salient features of this bill that have not yet been touched upon.

This bill is not for the purpose of creating jobs. The bill mainly is for the purpose of connecting the men with the jobs; not only getting employment for as many people as possible, but getting men who are skilled in certain lines of occupation jobs in that particular line. It is very necessary that some tribunal or some agency or instrumentality of Government be set up that will systematically ferret out among various industries the jobs that will be suited to those who are unemployed who happen to be skilled in a certain line of employment. To my mind that is one of the greatest accomplishments of this legislation.

It will do another thing. There are a great many States in the Union that have no State free employment bureaus. A great many States have such bureaus. Those State free employment bureaus are maintained by the State alone, and, due to that fact, those State employment bureaus, or those who are operating them, are somewhat subservient to certain political or industrial interests; the State bureaus do not function as they should. I feel that the passage of this legislation, with the setting up of these various Federal free employment bureaus, working in cooperation and coordination with the State free employment bureaus, will have a great effect upon our free employment bureaus of Missouri. It will tend to encourage our State employment bureaus to make an exceptional effort. It will make possible for our State free-employment bureaus not to be just State institutions, but the benefit of those bureaus will be interstate. Therefore our State bureaus will be of an interstate character. That will be of great benefit to the State free employment bureaus.

Mr. Chairman, there is another thing that I feel is more important than anything else, which I am sure this legislation will accomplish. With the perfect coordination between Federal and State employment bureaus, it will have the effect of abolishing one of the most nefarious occupations that I know of, those human vipers that own and operate private employment bureaus, whose stock in trade is the practice of forever and eternally robbing the unfortunate man or woman who happens to be in need of employment. There is no more vicious aggregation of racketeers in this United States than the owners and operators of the private employment bureaus, which are operated for the express purpose of robbing the unfortunates who are in need of employment more than anything else.

That, together with connecting the workman and the mechanic with the proper job, the job that he is fitted to perform, I think will be of great service to the people of this Nation, and I hope this bill will be passed unanimously. [Applause.]

I yield back the balance of my time, Mr. Chairman.

The CHAIRMAN. The gentleman yields back 5 minutes.

Mr. CONNERY. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. GRISWOLD].

Mr. GRISWOLD. Mr. Chairman, one thing in this bill which at this particular time should have the real interest of Congress is the change made by the House Committee on Labor leaving in this bill the present veterans' employment agencies, and leaving it there not under the Veterans' Bureau but leaving it there under the Department of Labor.

There is reason for that, especially at this time. That reason is that the Veterans' Bureau, insofar as its entire

set-up is concerned on things of that kind, has used money injudiciously.

When Brigadier General Hines took over the active management of the Veterans' Bureau it was a service of 9,000 employees. It was an Army brigade in numbers. But General Hines had hopes of promotion. He built it up in numbers until he had under his command an Army division. He commanded as many as a major general. He built it up to 39,000—the strength of an Army corps, the command of a lieutenant general.

On the 1st day of July, after the present regulations start in effect, there will be eliminated entirely from the rolls 165,000 veterans with non-service-connected disabilities. Only those with service-connected disabilities will remain, and they will be cut from 20 to 40 percent. General Hines was responsible for figures on which these regulations were based. In view of that fact, it might be well to give some attention to the way in which he built up the Veterans' Bureau and how the money is spent which is appropriated for his use. When the last bonus army came to Washington and were out at Fort Hunt, General Hines decided that there should be a judge advocate. No one knows why. As many of you know, in the Army the judge advocate is the law member of the courtmartial. The bonus army was subject to the civil law of the State of Virginia. The only question that might have involved the Federal Government on military law would have been the question of jurisdiction, because these men were on Army post property. Even then the Veterans' Bureau would have no connection with the case. But General Hines decided that he must have a judge advocate for the bonus army, and proceeded to get him.

There were dozens of lawyers of all classes here in Washington on the Bureau pay roll, but General Hines got his judge advocate by sending out to Chicago and bringing in from there Mr. Harry Poole, who is classified in the Veterans' Bureau as a grade 5 lawyer. He brought Mr. Poole to Washington and his transportation was paid by the Government and he is keeping him here at \$5 per day expense money in addition to his salary. But this was not expensive enough for General Hines. To take the place of Mr. Poole and do his work in Chicago while Mr. Poole was so busily engaged doing nothing as judge advocate of the bonus army in Washington, the General sent to Chicago, at Government expense, Mr. T. R. Callahan and Mr. Tom Eggleston, both grade 5 lawyers like Mr. Poole. They are still in Chicago, and while they are in Chicago they will each draw from the Government \$5 per day expense money in addition to their salaries. This is the way General Hines is spending the money that he wanted Congress to take from the service-disabled veteran.

There are other peculiarities of the system by which the Veterans' Bureau handles its business and expends its money. If you, as a lawyer in your district, write the Veterans' Bureau about any case under litigation in the courts, the answer to your letter is reviewed five times. The answer to your letter is written by a \$6,000 per year lawyer, and this lawyer's work is reviewed by a \$6,400 per year man, who is reviewed by a \$6,500 man, who is reviewed by a \$7,000 per year man, and the final reviewing man draws \$8,000 per year. It has never been determined why, if the work must finally, after passing through four other hands, be reviewed by the \$8,000 man, that the \$8,000 per year man at the head of the litigation division should not write the letter in the first place. And it would be well to know, also, some of the lawyers and some of the types of lawyers that are reviewing these decisions.

From July 1, 1924, to December 1, 1928, there was on the pay roll of the House Committee on Veterans' Affairs a man by the name of Carl Walker who drew \$2,800 per year for his services as a clerk. On the 11th day of November 1929 he secured employment in the Veterans' Bureau in Class CAF 9, which is a clerical class, and was designated there as a control officer at a salary of \$3,200 per year. In the course of his duties he was sent to Indiana and there he was peddled to the Howard Circuit Court at Kokomo, Ind., as an attorney and admitted to the bar on July 22, 1930, de-

spite the fact that section 1033 of the Revised Statutes of the State of Indiana provides that one must be a voter, and that under the laws of the State of Indiana it is a misdemeanor punishable by a fine and imprisonment for one to gain admission to the bar fraudulently. After qualifying himself as a lawyer in this manner, Carl Walker returned to Washington at Veterans' Bureau expense and was appointed, on October 16, 1930, a grade 4 attorney, at a salary of \$3,800 per year, and then on the 1st day of December, less than 2 months thereafter, this same Carl Walker was raised to a class 5 attorney at a salary of \$4,600 per year. This same Carl Walker, who had never tried a lawsuit, was appointed a class 5 attorney at \$4,600 per year. But the most peculiar part of this lawyer's case does not lie in the fact that he became so proficient in one and a half months that he was entitled to an \$800 increase in salary, nor in the fact that he was so efficient that the Veterans' Bureau in a year's time gave him an increase of \$1,200 per year in salary, but the very astounding circumstance is that at the time he was given his increases, and today he was and is a resident of the State of South Dakota, and that there is now on file as a part of the qualifying of Carl Walker for his present position with the Veterans' Bureau a certificate from a county officer of the State of South Dakota certifying to the fact that in January 1932, and "for 25 years next preceding the date of the certificate" Carl Walker was an actual bona fide resident of the county of Hughes and the State of South Dakota. This certificate was filed by Carl Walker himself to qualify for his position in the Veterans' Bureau, along with his certificate of admission to the bar of the State of Indiana. But Carl Walker did not explain how he could have been a resident of South Dakota and a bona fide resident and voter of the State of Indiana at the same time.

This boosting of Carl Walker into the law division of the Veterans' Bureau and every promotion he has had therein was approved by General Hines. It might be well to remember the oft-repeated statement of General Hines that there is no politics in the Veterans' Bureau, but it also may be well to remember that Carl Walker was the clerk of a former Republican Member of this body who was once spoken of as the successor to General Hines during the last administration.

If economies are to be effected, here are three instances where economies could be effected; where money has been expended improperly and a saving could be made and the money saved could be used where it would benefit some of the thousands of these veterans with service-connected disabilities that Congress has taken from the pay roll.

Because money is spent in this way by the Administrator of Veterans' Affairs when he is insisting that veterans' allowances be cut in the interest of economy, I am opposed to the Administrator having any control whatsoever over the veterans' employment agencies in this bill.

General Hines is also responsible for using the employees of the Veterans' Administration outside of Washington to make a profit for the Government. The employees of these hospitals received a cut of 15 percent in salary. Many of these employees, after deductions, receive less than \$1,000 per year. They do not receive \$5 per diem in addition to their salary as do the favored employees of the Administrator. They are required to live inside the hospitals and support a family outside. They are charged for their room and board. They pay the Government in one hospital 83½ cents a day for meals served to them at the same table with patients to whom the cost is only 35 cents a day. They pay for their sleeping quarters. General Hines fixes the prices to be charged both for meals and quarters. Although these employees were given a 15 percent reduction on the theory that the cost of living had reduced to that extent, the Veterans' Bureau did not take 15 percent off its charges to these employees.

In some cases General Hines actually increased the cost of quarters to them. Was this the intent of any Member of Congress who voted for the economy bill? I do not think it was. For this violation of the intent of Congress, for this

exploiting of the employees, as well as the veterans with service-connected disabilities, General Hines is responsible. I introduced a bill to correct this evil, a bill that would force General Hines to pass on to these employees in the Bureau's charges to them the same percentage of reduction that the Government gave them in salary. That bill has been frozen. This Congress seems to be interested in justice to everyone but the veterans and the Government employees. To them Congress says: "Take a tater and wait." "We must take care of the bankers and Europe, then if any justice is left over perhaps you can have a very small portion." Such an attitude on the part of the Administrator of Veterans' Affairs and of Congress is not only unjust it is intolerable. It violates every principle of equity. It disregards entirely the rights of citizens because they happen to be employees of the Veterans' Bureau. But it is treatment that is to be expected from the powerful tin god of the Veterans' Bureau to whom official Washington bows.

I think it would be well for Congress to scrutinize carefully every grant of power or money to the Administrator of Veterans' Affairs, and after such scrutiny to refuse the grant.

The Veterans' Bureau is not being conducted for the benefit of the veteran but for the benefit of General Hines and the political friends of General Hines. There are some good men in the Bureau. What work is really being done is done by these good men, but at the top we have the drones and political parasites. Under the Hines regime the good men do not reach the top. Those exalted places are held open for Hines' "yes" men.

The CHAIRMAN. The gentleman from Indiana yields back 1 minute.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I am quite sure that if you read the hearings on this bill and the hearings on a bill similar to this one which we passed but which unfortunately was vetoed by President Hoover, you will find that there is a clear-cut indication that employers in this country are dissatisfied with the present United States employment system, that the agencies that have been set up heretofore have not inspired very much faith and confidence on the part of employers and they want a different set-up. The set-up they seek and will have is embodied in this bill, which is sponsored in this House by my esteemed colleague and friend, the gentleman from New York [Mr. PEYSER].

One thing that always struck me as peculiar in our country was the fact that we compelled a man out of a job to pay for getting a job. We penalized him when he needed work. We made him pay a fee to private agencies when he could least afford to do it. It is interesting to note that in countries like England, France, Germany, and Italy it is made a criminal offense to exact a penny, a sou, or a mark from anyone out of a job as compensation for getting him a job. I would like to see the day and hope it may be near at hand when we, too, will make it criminal to exact toll from a man who is out of a job in order to place him in a job.

This bill will go far toward bringing men and jobs together. I know from the testimony heretofore given by our very brilliant Secretary of Labor, Frances Perkins, that there have been a number of instances where outside the confines of the State of New York, for instance, there was a demand for a certain type of employee and the workers were in New York desiring to get those positions.

The Bureau of Labor in New York over which Miss Frances Perkins presided was powerless to take those men and ship them across the State border because there was no power lodged in that State bureau to do that very thing.

What this bill does is to make labor mobile so that if, for example, in the city of Brooklyn where there are a great many ladies' shoe factories, there are jobs available but no one to fill them and there are skilled shoe workers, for example, in St. Louis, this bureau to be set up could take those skilled workers in St. Louis and send them to Brooklyn where the jobs were; and they will have the funds from

which to advance money for the transportation of these people. Thus the people will be made happy in these newly created jobs.

As another illustration, if skilled ironworkers or sheet metal workers are needed in Youngstown, Ohio, and none are to be found in that locality sufficiently skillful or efficient to take the jobs, and across the State border in Kentucky such men may be found, under the provisions of this bill the jobs can be brought close to the men and the men can be brought close to the jobs through transportation of these workers across State lines by the agency set up by the bill.

For these reasons I am happy to cast my vote for this bill.

Senator WAGNER has labored long to bring this bill about. It was part of his original program to alleviate suffering and misery caused by unemployment and the displacement of labor by machinery. He deserves great credit for his work in this regard. [Applause.]

[Here the gavel fell.]

Mr. CONNERY. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. PEYSER].

Mr. PEYSER. Mr. Chairman, I wish to thank all the previous speakers because they have really made my job as the sponsor of this bill in the House an easy one. I think every point to be covered in this bill has been touched upon by some speaker who preceded me, but there are a few things I would like to bring to your attention which may convince you, in case you are in any way opposed to this bill. However, I really believe and feel very happy to say that I think it will be passed by a unanimous vote.

I may supplement the remarks that have thus far been made by reading into the RECORD a letter I received a few days ago from the Department of Labor. The letter reads as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, May 25, 1933.

HON. THEODORE A. PEYSER,

House of Representatives, Washington, D.C.

DEAR MR. PEYSER: Now that the Committee on Labor has unanimously reported on your bill, H.R. 4559, I hope that every possible effort will be made to expedite its enactment by the Congress before this session adjourns.

Plans for industrial recovery make imperative the development of an adequate system of public employment offices. Without such a system, chaos in the labor market is inevitable.

Under the circumstances, may I again stress the need for favorable action on this measure at the earliest possible moment?

Sincerely yours,

FRANCES PERKINS.

I am only bringing this to your attention to confirm the statement that has been made that the Department of Labor is eager that this bill be passed.

When the bill was brought up in the Senate on Monday, for the information of those who did not read the RECORD, the bill was passed in less than 4 minutes. The only question raised at that time was one by Senator KING, who asked whether the Secretary of Labor approved the measure. Outside of that the matter came to a vote and the vote for the bill was unanimous.

I am very glad and proud of the opportunity of being interested in a bill on this side of the Capitol that is fostered by my good friend Senator WAGNER in the Senate after the hard work he has given to this measure for several years. I know that he and all who have been interested in this bill will be most happy at its passage. No one is more deserving, and I consider it a great honor to have my name as a co-maker of the bill linked with the name of Senator WAGNER.

I may add that the amendments that are to be introduced to the Wagner bill will bring the bill into the shape approved unanimously by the Labor Committee of the House. I thank you for your kind attention and sincerely hope that you can support the Wagner-Peyser bill, for which I also thank you. [Applause.]

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Mr. Chairman, I shall not confine my compliments to the chairman and ranking minority member of this committee but shall extend them to the whole committee, as the country will credit the Congress with passing in

this bill the greatest single measure going with the most directness to providing help to those who need help.

I cannot be otherwise than in hearty sympathy and accord with measures of this kind. Mr. Chairman, it was just 40 years ago that I introduced and put through the Legislature of Pennsylvania the first piece of legislation in my public career. It was a labor bill, which is still in operation. Therefore I am in hearty accord with the bill; and while I know nothing about the technical structure of the measure or how it may work—like any other patent, it is a good thing if it works—the intention is certainly in the right direction.

It is quite manifest to me, Mr. Chairman, that so far as the working qualities of this bill are concerned, no discredit will fall upon any of my Republican friends. It is plain to be seen that while this is the greatest piece of legislation to be offered on this floor at this momentous session, in my opinion, and in the light of an experience of 20 years here, it is clearly manifest that since the States will have nothing to do with appointing the officers who are going to administer the measure, it may well be understood what the political complexion of each division will be, at least so far as they can apply it.

Now, I say this bill and one other bill will be reckoned as the greatest pieces of legislation conceived and executed during this session of Congress. They will restore the country to prosperity if they will work. There are two great fundamental principles in these bills.

One is to furnish employment, which means purchasing power and consuming power, and without these elements you can administer all the financial hypodermics from now until doomsday without bringing about the result that we all desire.

Then the other great element of our body politic is the farmer, and you can use all the hypodermics there without success until we can unfold some method by which the farmer who raises his crop can reach the market and get an adequate price for his product, a price above his cost of production. It does not matter how much his gross is unless he has a net.

You have put through a bill here in the hope of being able to find a way of getting this kind of market for the farmer. Why this problem cannot be solved I do not know. With all the brains we have here and the various and numerous varieties of farm boards, and with the untold millions of dollars that have been spent in my lifetime trying to stimulate agriculture, it does seem strange to me there has not been some way devised to find such a market.

[Here the gavel fell.]

Mr. WELCH. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. FOCHT. I want to say to my friends here that the farmer will reach such a market if you will only give him the chance, and we ought to have the brains and the ability, in addition to this, to lift the burden of taxation from the farmer and give him an equal break in taxation, and then, for God's sake, let him alone. He can run his own business if you will just let him alone. I know that they can do this up in my country, and all the farmers of the West came from the East, and the farmer can everywhere take care of his own business if you do not overburden him with taxes and inquisitions.

With these two bills properly constructed I look for a grand gallop of prosperity as soon as we get out of here and the people know what they are to do. [Applause.]

Mr. CONNERY. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Chairman, in the last Congress this same legislation was passed, but, unfortunately, it did not meet the approval of the President.

In the bill which passed in the Seventy-second Congress there was a provision to take care of the States that do not have a State employment service. This was section 10 of that bill, and the committee will offer to the pending bill a similar section to take care of the twenty-odd States in the Union that do not now have any State employment service, and therefore, could not take advantage of this bill

without this amendment which the committee will offer, at my suggestion. Section 10, which is to be offered to take care of the situation, reads as follows:

Sec. 10. During the current fiscal year and the 2 succeeding fiscal years the director is authorized to expend in any State so much of the sum apportioned to such State according to population, and so much of the unapportioned balance of the appropriation made under the provisions of section 5 as he may deem necessary, as follows:

(a) In States where there is no State system of public employment offices, in establishing and maintaining a system of public employment offices under the control of the director.

(b) In States where there is a State system of public employment offices, but where the State has not complied with the provisions of section 4, in establishing a cooperative Federal and State system of public employment offices to be maintained by such officer or board and in such manner as may be agreed upon by and between the governor of the State and the director.

This means that every State will have an opportunity through its legislature to provide for its participation under the other sections of this bill, particularly under section 4, before this service is taken away from them; otherwise there are some twenty-odd States in the Union that would not be able to participate in this plan.

Mr. DOWELL. Will the gentleman yield?

Mr. RAMSPECK. Yes; I yield to the gentleman from Iowa.

Mr. DOWELL. It occurs to me that there should be an office in every State of the Union, and will not this bill, when it is enacted, be an encouragement and a suggestion to all the States that they should cooperate and assist in putting offices in each State?

Mr. RAMSPECK. The gentleman is correct and this amendment will take care of them until they have had that opportunity. Of course, if they refuse to establish the system and take advantage of this cooperative system, then that is just their hard luck.

There is one other amendment which is to be offered and that I am very much concerned about. It has been discussed by my colleague from Indiana [Mr. GRISWOLD], and I simply want to mention my interest in the maintenance of the veterans' offices.

Unfortunately, the Spanish War and service-connected World War veterans are suffering from a maladministration of the Economy Act, which should and must be corrected before this Congress adjourns. [Applause.]

Mr. O'MALLEY. Will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. O'MALLEY. I was just going to inquire of the gentleman whether the gentleman knows the reason for striking out the provision that would compel this agency to cooperate with the Veterans' Administration in securing employment for veterans?

Mr. RAMSPECK. An amendment will be offered in place of that to require the maintenance of an office for veterans' employment, in which must be employed only veterans. So instead of simply cooperating, we will have a special division for the veterans.

Mr. O'MALLEY. In other words, this agency is going to try to get some jobs for these veterans that have had their compensation taken away from them.

Mr. RAMSPECK. Absolutely; and if the committee amendment is adopted these offices for veterans will be operated by the veterans themselves. [Applause.]

Mr. O'MALLEY. That seems to me to be the only excuse for appropriating \$4,000,000.

Mr. RAMSPECK. I think there are other valuable reasons for establishing the service.

[Here the gavel fell.]

Mr. WELCH. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. DUNN].

Mr. DUNN. Mr. Chairman and members of the Committee, Members frequently ask me if I am totally blind. I tell them that I am; and everyone, of course, expresses sympathy. May I say to Members of the House this morning that I have my sight right now—I have foresight enough to see that this bill is going to pass by a big vote. [Applause.] I am mighty glad that the soldiers are going to get something when this bill is enacted into law. Every man and

woman in this House knows that when a man or woman attains the age of 40 years today it is almost impossible for them to obtain employment. In fact, it is utterly impossible for a war veteran to obtain employment. Why? Because managers of industry do not want an ex-service man because they are convinced that he has some physical defect. This department, which is going to be operated by ex-service men, is, in my opinion, one of the most desirable and progressive pieces of legislation introduced in this House at this special session.

I hope that the veterans who will be at the head of the department will go out and demand jobs for their buddies.

I may say, Mr. Chairman and members of the Committee, that it is an outrage and abominable to think that the men on whom our Nation depended, and on whom our Nation must depend in the future, have had to get down on their knees and ask some charitable organization for assistance. [Applause.]

Mr. CONNERY. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island [Mr. CONDON].

Mr. CONDON. Mr. Chairman, the problem of unemployment is a permanent one in this country in my opinion. For that reason I am happy to note that the Committee on Labor has brought back this bill that deals so fully with this problem.

This is not an emergency bill. It is a bill that looks into the problem, as the great Senator from New York [Senator WAGNER] has looked at it for many years. He has envisaged the time when the country will be unable to take care of this unemployment under present conditions, unless a Nation-wide employment service is established under the Federal Government.

It is necessary that we should have a great clearing house for the distribution of available jobs for the working men and women of this country.

In order that such a clearing house may operate at its maximum efficiency, in order that it may do the job and do it well, it is necessary that there shall be in every State in this Union an office to cooperate with the States, and in order that the system may have the necessary cooperation and encouragement locally it is essential that the State itself do something to support this system.

It is well, therefore, that the bill has been drawn in such a way that the States are invited to appropriate in order to relieve unemployment in their particular jurisdictions by setting up State employment offices.

When I first came to Congress it was my happy privilege to vote for a similar bill which was introduced by Senator WAGNER. I was very sorry that the last administration did not feel it possible to approve that bill after the Congress had passed it. I am glad to know that this administration, with an entirely new view of the great problems that affect this country, is welcoming this kind of legislation, and is not only willing but anxious that it be passed without delay. It was a great pleasure, I am sure, to every Member of the House to hear that the Department of Labor is asking for this bill at the earliest possible opportunity, so that it can cooperate with the departments of labor in the several States of the Union in solving this great and pressing problem of unemployment. Unless we tackle that problem and strive to the best of our ability to solve it, there will be continuous trouble in this country. We must organize in every part of the country proper agencies such as this bill provides to take care of the distribution of surplus labor, so that all men and women may have an opportunity to earn an honest living. It is very fortunate indeed that the committee in looking at this question of unemployment looked at it not only from the standpoint of the industrial sections of the country, but also that they have written into the bill a provision that has to do with the agricultural displacement of labor and I sincerely hope that, as has been predicted on the floor of this House, there will not be a single vote against the bill, but that it will receive the same unanimous acceptance in this House as it did in the other Chamber, and that it will go to the President to receive his immediate approval and be enacted into law at the earliest possible moment. I

congratulate the Committee on Labor for the assistance which they have given to solving the unemployment problem by so promptly and favorably reporting this bill and I want also to pay my tribute of respect to the chairman, the distinguished gentleman from Massachusetts [Mr. CONNERY], who has worked so long and valiantly for this legislation and who is the greatest friend of labor in this House. Mr. Speaker, I shall gladly vote for this measure. [Applause.]

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Chairman, I am happy to have this opportunity to say a few words in support of this meritorious measure brought in here by my distinguished colleague, Mr. CONNERY, the Chairman of the Committee on Labor. I listened with great pleasure to the complimentary remarks of the gentleman from Texas [Mr. BLANTON] concerning my colleague, Mr. CONNERY, and I subscribe to everything that he has said. I think labor in this country is very fortunate indeed to have as chairman of this committee a man with his broad and sympathetic understanding of its problems. For weeks in this present Congress the Chairman of the Committee on Labor and the members of his committee have worked arduously preparing and drafting the Connery 30 hour bill. This committee has held lengthy hearings lasting well into the nights on that bill, and even though the bill has not been enacted into law, and will probably not be in this Congress, that labor has not been entirely lost. There appeared before that committee great industrialists, employers of labor, sociologists, labor leaders, and the Congress as a result has a great deal of valuable data to be found in the record of the hearings to assist it in the future in meeting this great problem of unemployment.

In my State back some years ago the desirability and necessity for conducting free employment service was recognized, and we have for many years maintained a free employment service. This bill will serve to complement and supplement that service, and wherever such a similar service is maintained in the several States of the Union. It will further set up free employment agencies in the States that do not already maintain that service. It will serve to banish forever the private employment agencies that for years have been extorting from a man who so desperately sought a job that of necessity he paid them the tribute they so cruelly demanded. It is a pleasure to add my word to all that gentlemen who have preceded me have said in urging the passage of this legislation. I hope that this humane bill will be passed by a unanimous vote of the House. [Applause.]

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. WEIDEMAN].

Mr. WEIDEMAN. Mr. Chairman, for many years the emaciated and decaying body of the unemployed worker has been the legitimate prey for the human vultures who have disguised themselves as employment agents. I hope this bill puts an end to that. I will not say that all of these agents should be likened unto vultures, but many of them should, and the more unscrupulous they were the more vulture-like they became, the more promises they made, and the less conscience they exhibited.

I think the unemployment problem is more or less of a permanent nature until such time as men are elected to both Houses of Congress who, by legislation, will make it possible for every man to have that right, God given, to secure free employment, the right to work.

Also, at this time I extend my compliments to all of the members of this committee on both sides of the aisle. I commend the Republican members of the committee for the wonderful cooperation they have put into this bill in working with our chairman of the committee, the gentleman from Massachusetts [Mr. CONNERY]. I think the members of the Labor Committee have the most thankless job of any committee in the House. They serve as a sort of buffer state between capital and labor, and have done so for years. I compliment my friend from Massachusetts. Many times he has voted not with the majority. It is easy to march down the street behind the flag and wave your hat along

with the majority when popular opinion seems to be that way, but the gentleman from Massachusetts has borne the cross for labor in this House when he stood alone, and there is no Member of the House who does not respect him for it. [Applause.]

In metropolitan areas the worker has been the legitimate prey for thievery. He has been charged \$3 here and \$5 there for just the promise of a job in many of these fly-by-night employment agencies. I hope this bill will abolish those creatures. I hope it coordinates our system of employment so that we will not have a surplus of labor in one part of the country and a dearth in another. It will enable this Government to know at all times just how many men are out of employment, and if we have accurate knowledge of those figures, then we may be able to legislate intelligently on this matter.

GIVE THE OLDER FACTORY WORKER A CHANCE TO LIVE

In metropolitan areas when a man is 40 years old he cannot get employment. I hope the administration of this bill is so worked out that a man who is 40 years old, a man who the highly industrialized manufacturing interests say they cannot use because the young boys can work much faster, will be able to get a job. I hope that condition will be equalized to give the man of middle age and past middle age a chance to get a job.

I am glad to see a provision in this bill that will provide employment for veterans. The average veteran of the World War is now past the 40-year mark and he finds it very hard to get a job. They march up to these factory gates in droves and they stay there all day, only to be turned back at night, to go home without a penny in their pocket to feed their children. Now, under a coordinated system of employment agencies, I hope we have intelligent administration so that a man will not have to walk from factory to factory in search of work until his feet burn, until he can walk no longer. I think the day is coming with the establishment of this law and with the sending of men to both Houses of Congress who are favorable to the rights of men as are the members of the Labor Committee in both the House and Senate at this time, this problem may be solved.

I live in hopes that this measure will function so that the men who have been out of work for 3 years can at least have a chance at a job. It is not always the best worker who gets the job. Sometimes it is the man who is most glib with his tongue and who presents himself at the employment gate in better light who gets the job. The man who is the plodder, the man who works day in and day out, never loses a day, and turns his all back to his family, but who may not be quite as good a talker, will under the administration of this law have a chance to work. I hope the men who have been out of work longest will be given the first chance to secure employment under this bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan [Mr. WEIDEMAN] has expired.

Mr. WELCH. Mr. Chairman, I yield myself 5 minutes.

There has been but one request for time on this side of the aisle. That request was by the gentleman from Pennsylvania [Mr. FOCHT]. I take it for granted, and I feel safe in saying, that the Republican minority is unanimously in favor of this bill.

Mr. Chairman and members of the committee, the main reason for this legislation is that the present United States Employment Service is most unsatisfactory. The Federal Government has operated employment offices in every State of the Union independently of the State service. The Federal Government service has had no relation to the State service. The Federal service not only does not coordinate with the State service, but, in most instances, is actively competing with the State service and running an independent office in the State when there was already in the same State or the same city a State employment office. Also, there is actual friction between the employment services.

This bill proposes a scheme of Federal leadership, with the placement work done by the States, in cooperation with such leadership. By taking the leadership the Federal Gov-

ernment can set up standards, statistical control plans, give the necessary study, circulate the necessary information, and assist in bringing all of these offices into one general system.

To assist and stimulate the development of a system by the States, the Federal Government will give sums of money to match the moneys already appropriated by the States or set aside by the States, for the development of a free employment service. We should keep the pattern of the States in doing their own work in placement, and put the Federal Government in the position of helping and encouraging them to do so, the Federal Government being responsible for the statistical work and saving the States this expense, and the statistical information being available to all the States. The Federal Government is also to do the research work, which is often too expensive for the States to do individually, the function of the States being to perform the task of getting the jobs and the workers brought together.

Mr. Chairman, as a matter of fact, this bill need not have taken up but very little time of Congress. It is a humanitarian measure. It is one of the few measures that has been passed by Congress thus far this session of a humanitarian nature.

I hope the amendments that will be offered by the distinguished chairman of the committee will be unanimously adopted and this bill be sent on its way to the President, who, I am sure, will gladly give it his approval. [Applause.]

Mr. CONNERY. Mr. Chairman, I yield 4 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Chairman, those of us who come from the large cities realize the necessity for this legislation. My only regret is that the amount appropriated is not equal to the amount that will be appropriated in future years. I am going along with the committee if the chairman is satisfied on the \$1,500,000 set aside for expenses and advances to the States for the fiscal year 1934, but I cannot help but express the thought that, with over 12,000,000 people out of employment, it would be well to increase that amount to \$4,000,000, the amount set aside for 1935 and other years.

The finances of the various States are at a very low ebb and they need Federal aid. We have extended help to the farmers; we have extended help to the bankers and corporations; but this is the first time we are getting right down to helping the man who is out of a job. I do not think we can spend too much money to place unemployed in jobs.

My distinguished colleague from Missouri [Mr. WOOD] told you something about the private employment agencies. No one on the floor of this House knows more about that situation than does the gentleman from Missouri. For many years he has been president of the State Federation of Labor of Missouri, and only last week he was reelected to that position. He did not tell you half of it, for the want of time. Such vultures who prey upon the unfortunates out of work must be put out of commission, and this bill should put them out of commission. If it is not enough we should put teeth in it.

The man who is depressed, looking for a position to feed his family, will go to any extreme to get work, and when those men require him to agree to give them half of his first week's salary, and sometimes half of his first 15 days' salary, what can he do but agree? And in many instances when this time expires the man loses his position. Investigation has disclosed that the employer is working with the private employment agency, and that there is a big turnover in employees, unskilled laborers, and a splitting of the amount the employment agency receives for getting men work.

I am very pleased the committee is to offer an amendment that will allow the States whose legislatures already have adjourned to participate in this legislation.

During the present week I have received telegrams from the industrial commissioner of Missouri. She is waiting for this legislation. She says we need it and need it badly.

You speak of veterans' employment agencies. We had a veterans' employment agency in St. Louis, and they put it in the dome of the Federal building. You almost had to hire

a scout to find the office. I say it was unworkable just as this committee report states that it was unworkable. I know that it was practically of no value. The money was practically thrown away. The Department of Labor sent a man from Washington to Missouri, to be the director of employment in Missouri, a man who did not know anything about the State of Missouri. To get positions and understand the employment needs the director of an employment bureau should be a man who resides in the community. Such a man who knows those who can hire men. I think extreme care should be taken in the selection of the personnel to carry out this program.

I again say to the chairman and members of the committee who are to be complimented for bringing in this legislation that I feel they should give serious thought to increasing the amount for next year.

I realize that probably the Bureau of the Budget has said this is the limit, but I am in favor, if necessary, of going a little over the Bureau of the Budget. [Applause.]

You are going to end this depression when you place the unemployed back to work, thus increasing the purchasing power of the masses. Until you do that we will not solve the problem that confronts you.

A campaign to induce chambers of commerce, industrial clubs, and other civic and business organizations to cooperate with the Federal and State employment agencies should be started at once and a campaign to place men to work started. You can get a real start to finish the job of ending the depression with this legislation if it is properly administered. [Applause.]

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. KELLER].

Mr. CONNERY. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, in starting to talk about a bill of this kind, I wish to call attention, if I may, to the fact that at the present moment there are no less than 13,000,000 unwillingly idle men in America. The root of the matter not only goes back further than this bill, but requires very much more fundamental legislation. We have got to recognize certain fundamental things and hold them in mind, not only for the present but for the future. Let us not satisfy ourselves with passing emergency legislation, but let us drive constantly toward the permanent legislation that will reach out year after year in the direction of the rights of men.

The first thing we have got to recognize in legislation of this kind is that the very first human right set out in the old declaration is the right to life; and the right to life depends on the right and the opportunity to labor. We must understand, therefore, that the first duty of government is to assure an opportunity to every man to earn his living by his labor. The Government must guarantee that the man, not one man but all men; not one class but all classes; not to one section but to all sections; that wherever the American flag floats there is understood to be the right of a man to earn a living by his labor. Until we accept this we will fall short of the conception that must hereafter guide us in the social legislation upon which this Government must hereafter rest more and more.

I wish to compliment not only the chairman of this Committee on Labor, but its other members also. However, first I want to compliment the chairman, because BILLIE CONNERY is two things on this committee, not one. He is a man who labored himself and who has the standpoint and viewpoint of men who labor. But he is something more. He is a man who followed the flag across the seas, who went into the front-line trenches with the rest of the boys who went there, and he has the full heart of sympathy for those men. I have sat beside him in the committee room when we had many men tell us of the terrible condition of laboring men in America. I know that he has at heart the interest of every man who labors and every man who followed the American flag. [Applause.]

It would not be fair, however, if I did not at the same time mention the man who preceded him as chairman for a

number of years on this splendid Labor Committee. That is the gentleman from California [Mr. WELCH]. [Applause.] He is a man all the way down the line. I do not care anything about his party politics. The fact that he sits on the Republican side cuts no figure with me. He knows what the laboring men of America need, and he is not afraid to say it. His years of experience have been invaluable to this committee.

One more man I want to mention is RAMSPECK, from the Old South [applause], the most progressive man south of the Mason and Dixon line. I hope many more like him will be sent up here by the southern Democrats. He knows that the very same rules that have so long applied to labor north of the Mason and Dixon line will ultimately extend all the way down to the Gulf of Mexico to every man who labors, regardless of color, regardless of previous condition of servitude, regardless of all things except that he be an American. I am glad to welcome him and men of his class, especially from that region.

I ought also to mention the giant young battler from Detroit, WEIDEMAN. He knows how to fight and loves a good fight when it is for something like this. I must not forget DUNN, whose blind eyes see so clearly for men who labor; or Mrs. NORTON, with her fine womanly sympathy; or GRISWOLD; or WOOD; or FITZGIBBONS; or HARTLEY; or, indeed, any other of that splendid loyal committee.

The men who make up the Committee on Labor are men of sympathetic understanding, men who love their fellow beings, and who want to give them a chance in the world. Last year in the wintertime, when men were tramping into the room of the Committee on Labor from the coal regions of Pennsylvania, you did not see any fishy eyes around that committee table. You saw eyes of real men who knew what it meant to labor, and some of them saw that the men who came there barefoot did not leave that way.

I confess that my sympathy may be greater than my ability to achieve. But I thank God that it leads me at least to work, to struggle to do the things that ought to be done for the men who labor in this country. And that includes the farmers of this country, every one of them. They used to be considered capitalists. Today they are laboring men, subject to exactly the same conditions, exactly the same economic laws, causes, and effects as are the men who work in the factories, on the railroads, in the mines, and in the quarries.

And until we come to understand that all men who produce wealth are eternally dependent upon one another; that we cannot have prosperous farmers and poverty-stricken city dwellers any more than we can have prosperous city dwellers and poverty-stricken farmers; that city and country will rise and prosper together or wallow together in the gutters of poverty; that city and country, farmer and laborer are tied together irretrievably. Until we come to a full understanding of all that we will fall short of our duty to our country.

We must awaken fully to the fact that industry is now, and always has been, purely a national matter. Under our Constitution State lines never have been recognized as applying to industry. We must look upon industry as a national matter alone and solve the problems of industry through national laws. Any less a conception of industry will of necessity only handicap and delay the solution of the great question of unemployment, the most ominous problem that has ever faced civilization.

This bill, the Wagner-Peyser bill, as you all know, is for the purpose of establishing national labor agencies to cooperate with the State labor agencies where these now exist, and to induce their establishment where they do not yet exist. This is the attempt to carry out the long-accepted idea of bringing the man and the job together. It will be of tremendous importance in connection with putting into operation our great public-works program now nearing enactment into law. But it will go far beyond that in future usefulness to keep the balance between the man who needs the work and the work that needs the man. I am proud to call attention to the fact that this bill provides for re-

taining the employment offices by veterans for veterans, by the Government which they served. This Labor Committee of the House fought for and won this change from the original bill.

I want to call the attention of the committee, if I may, to the fact that I shall bring up at the next session of this body a child labor law, and I shall lay it before you frankly, under the belief that the general-welfare clause of the Constitution is entirely sufficient to justify the passage and the enforcement of a right and reasonable child labor law without amending the Constitution.

I shall bring up before this body a Federal old-age pension, because we can never solve the question of unemployment until we do away with child labor and the fear of poverty in old age. [Applause.]

I shall bring up before this body a resolution that has been pending for a year and a half before the Rules Committee taking the Government of the United States out of the class that raises the question of a man's age and denies him an opportunity to labor and to live solely because he has passed a certain milestone on the journey of life.

Mr. FISH. Will the gentleman yield?

Mr. KELLER. In just a moment I shall yield.

This will compel the Government of the United States to set an example, so that when we go out and ask that a man may be judged on his fitness for work, the corporation cannot point to the Government and say, "Your Government has age limits and that justifies us in denying a man the opportunity to labor and to live whether he be 40; whether he faces starvation only because he is 40 years of age." We are going to remove these age limits because no government has a right to set any age limit until it stands ready to grant an old-age pension at that limit. [Applause.]

[Here the gavel fell.]

Mr. KELLER. I am sorry I did not get to answer the gentleman's question, but I wanted to finish this statement.

Mr. CONNERY. Mr. Chairman, I yield the gentleman one half minute to answer the gentleman from New York.

Mr. FISH. The gentleman from Massachusetts yields one half minute to the gentleman to yield to me for an observation. I should simply like to observe, as a Republican, that there is not a more courageous Member in the House than Mr. CONNERY, the able chairman of your committee. [Applause.] And there is no better friend of labor, or of the veterans. [Applause.]

Mr. KELLER. I join in cheering the observation. [Laughter and applause.]

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. MEAD].

Mr. MEAD. Mr. Chairman, I had no intention of participating in this debate until a few moments ago, but I feel it is quite proper that I should. Up until the time when I entered public life, in 1913, I was employed on one of our railroads and was president of the Switchmen's Union, and for many years took an active part in labor counsels, and I am, of course, vitally interested in labor legislation. This bill is being supported by labor and by labor's friends.

I should not only be interested because of my former connection with labor organizations but also by reason of the fact that I supported this measure in the last Congress. Senator WAGNER, who sponsored this legislation in the Seventy-first Congress, sensed the approaching depression. He presented a program of legislation which, if enacted, would have lessened the suffering and unemployment resulting from the depression. In my judgment, it would have expedited our return to better times and better conditions. [Applause.] I want to say here that Senator WAGNER, who prepared this program of legislation, made a mighty contribution to the progressive thought of our day and age, and his contribution, large as it is, will serve to guide us in the economic crises of the future.

Two of the bills which he presented were enacted into law. One of them set up a long-time planning body that would plan for the construction of public works during times such as we are now going through. They would set up a reservoir

by delaying the construction of public projects when business is otherwise normal, and at the very beginning of a period of depression this program of public works would be released. Such a plan would stop deflation and buoy consuming power. It would also enable our workers to find employment.

The second measure set up a bureau within the Department of Labor to keep an accurate account of unemployment in every section of the country, and no government can tackle the unemployment question intelligently unless it knows where it is and what it is, unless it knows its nature and its extent. The creation of this board is a vital step in the fulfillment of the Senator's program.

The third measure was the bill we are now considering. This measure provides for a national system of employment offices, offices that would cooperate rather than compete with State agencies. A vital necessity to fit in the scheme and complete the program launched several years ago by the able junior Senator from New York.

The plan failed. Of course, it failed. It failed because the administration was wholly without sympathy for the plan. It failed because the administration failed for over a year to admit that the depression was on us. It failed because those that had the direction and the administration of these laws were in nowise sympathetic with their aims and purposes, it failed because the then President of the United States refused to sign the very bill which we now have before us. We will pass the bill again with the votes of Democrats and Republicans alike, and it will be signed by President Roosevelt and sympathetically administered by the Secretary of Labor.

I am happy to see the measure before us, and I, too, congratulate the chairman and the members of the Committee on Labor for giving us an opportunity to vote for it again.

Mr. CONNERY. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. FORD].

Mr. WELCH. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. FORD].

Mr. FORD. Mr. Chairman, it seems to me that to make an address urging the passage of this bill at this particular time is something like carrying coals to New Castle, for apparently everybody is in favor of it.

However, I want to make a few observations. The United States Government has in the past years spent annually from seven to fifteen million dollars in sending what was the equivalent of traveling salesmen around the United States and around the world in the drumming up of business.

These traveling salesmen—they were called special agents—were out for the special purpose of looking after the interests of the business and financial interests of the country. We spent that money in the greatest freedom, and there was never any criticism of it.

As it happens the last President was a man who while Secretary of Commerce broadly developed that system.

Then, a year ago, when the Wagner bill—probably one of the greatest pieces of constructive, remedial, and sociological legislation ever conceived in this country—was passed by both Houses and came to him, it was vetoed.

I agree with the last speaker, that it is my judgment if that bill had not been vetoed the impact of the depression would have been considerably relieved, because that bill had within its structure many provisions which would have gone a long way toward mitigating the situation along economic lines.

Now, I really feel, from what various speakers have said in regard to the members of the committee—the chairman, Mr. CONNERY, and the leader on the minority side, Mr. WELCH—that the committee has done a very fine and constructive piece of work, a piece of work for which every Member of the House ought to thank the members individually and the committee collectively.

I look to a situation arising in the country when this bill gets into operation and begins to function where it will be possible for a man looking for a job to get it, although it

does not happen to be in the same town or in the same locality that he happens to be in.

Mr. HART. Will the gentleman yield?

Mr. FORD. I yield.

Mr. HART. I confess that I do not know much about employment offices, but I want to ask the gentleman a question: Are there any employers today looking for men to employ and unable to find them?

Mr. FORD. There are.

Mr. HART. And if there are no jobs, how is the employment agency going to produce any?

Mr. FORD. I will say this, out of experience as a legislator, that in Los Angeles, wherever general constructive, scientific efforts were made to get men jobs, a special agency was able to produce 500 jobs in 3 weeks for 500 men out of work. The only thing that was necessary was coordination and cooperation between the men who wanted jobs and men who wanted to employ them.

Mr. HART. I want to say that if employers insert a notice in the newspaper in the morning, I will guarantee that there will be 10 men in the class in which the advertiser advertises the job. I want to know why we should appropriate a million and a half dollars to start and \$4,000,000 to be matched by the States and how we are going to produce the jobs.

Mr. FORD. I only wish we were appropriating \$4,000,000 now.

Mr. PEYSER. Will the gentleman from California allow me to answer the gentleman from Michigan?

Mr. FORD. Certainly.

Mr. PEYSER. In the hearings on the bill it was brought out very clearly that where a manufacturer or employer advertised that he wanted a particular man he will have his mill gate crowded with applicants, but when he comes to look them over it may be that he wanted a puddler, and he will only find molders.

With the cooperation of the Federal office, however, with what information the employers will get from the State office through the Federal office, it is going to save lots of work and lots of time, and no fee for the man who wants the job.

Mr. HART. Does the gentleman mean to assume that a steel mill that wants puddlers and does not want molders has not got sense enough to advertise for puddlers?

Mr. PEYSER. I simply used puddlers as an illustration because it happened to come into my mind. It is the same in some other line.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. KENNEY].

Mr. KENNEY. Mr. Chairman, I have listened to this debate with a great deal of interest. My heart has been with this bill. I campaigned for it and advocated its purpose for the last few years. I am proud to have the privilege of speaking for it, and shortly, when it will have passed this House, I shall feel that something of great good has been accomplished. I believe it to be one of the measures most sorely needed by the people of our country.

I regard the bill as a companion measure to the National Recovery Act, which was passed by this House a few days ago. An eager people were looking to the Congress for the passage of that law which will create public works throughout the country and provide something which this country has until lately always had, jobs, not only for our own people, but for others from other lands. Jobs so thoroughly needed will be supplied by that bill.

Mr. HART. Mr. Chairman, will the gentleman yield?

Mr. KENNEY. Yes.

Mr. HART. If the gentleman has an oversupply of jobs on hand, I shall be very glad to send him over some of the people who are applying to me.

Mr. KENNEY. Mr. Chairman, it is true there is now what I might call an oversupply of demands for jobs. We want to make a supply for these demands. This companion bill, coming after the act providing for a comprehensive pro-

gram of public work, in my opinion, will not only serve to distribute the jobs that are to come under the great public-works program, but it will also provide ways to take note and heed of what is going on in our country. We can remember back 4 years ago—when the warning was raised that unemployment was increasing to an alarming extent and it was urged that something should be done and done immediately, and above all that the Congress should consider the question of going into a public-works program to check the progress of unemployment—nothing was done by the Congress—and there followed a wake of disastrous consequences to our people. We will now have the employment agencies under this bill to deal with the jobs that will exist under the National Recovery Act. These agencies will also provide a means of keeping an eye on what is going on in the country; in that way they will not only be of direct service to the unemployed, but they will aid the Congress and the country in keeping informed on the employment situation so that they may better guard against a repetition of the spectacle of a wholesale dearth of jobs.

Mr. WELCH. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. SHOEMAKER].

Mr. SHOEMAKER. Mr. Chairman, it is unnecessary to say a whole lot with regard to this bill. I particularly call attention to the specific fact that as an organizer and worker in the labor movement in this country for over 20 years, I know how hard it was 20 years ago to appear before a committee of Congress and receive the consideration that has been accorded to the working people in this bill. It was an impossibility. I believe that while this depression has caused a great deal of sorrow and suffering and grief and pain and anguish, it has, nevertheless, brought the hearts and minds of the common people together into one channel, and has resulted in considerable constructive thinking, in which the personal animosities that existed in the past have been more or less set aside.

Particularly at this time I wish to pay my respects to the wonderful work of the Committee on Labor and to all the members of the committee, and especially to the chairman of the committee, who has so valiantly and consistently battled in the interest of the common people.

Mr. CADY. Mr. Chairman, will the gentleman yield?

Mr. SHOEMAKER. Yes.

Mr. CADY. I hope the gentleman will pardon the intrusion, but I have been sitting here for some little time, hoping that some speaker would tell us just how the opening of these offices will provide employment. I do not want it understood that I am objecting to the employment of labor, and I do not want the chairman of this committee to feel in any way that I am not cognizant of the work that has been done in this matter. Everyone in the House appreciates that; but I should like to have some speaker, instead of throwing bouquets at the committee, tell us how they are going to provide jobs that are not existent.

Mr. SHOEMAKER. Mr. Chairman, I yield to the chairman of the committee to answer that question.

Mr. CONNERY. Mr. Chairman, this movement was initiated by President Wilson years ago. The idea is not to go out and get these jobs—I mean that they are now there—but with this public recovery bill getting along, this is to coordinate the jobs and not have a plumber running around wild over the city of Los Angeles looking for a plumber's job, when he could save his time by coming in one of these offices and learning that they want a plumber out in such-and-such a place, and go out and fill the job.

Mr. BLANTON. I will say to my friend from Michigan [Mr. CADY], answering his inquiry, that in the agricultural sections where farmers in a certain vicinity want threshing hands, or cotton choppers, or cotton pickers and harvest hands, they go to one of these offices and the offices know where the workers seeking that kind of employment can be found, and the employment office gets them together. If a cattleman wants to employ 25 or 50 men to help him round up his herd, to brand, or ship to market, the employment office can help him to get in touch with them.

Mr. KNUTSON. Does this come out of the gentleman's time?

Mr. BLANTON. Oh, the gentleman's colleague from Minnesota knows how to take care of himself. He yielded to me. If a stockman wants helpers to shear his sheep or goats, he can find them. It is a coordinating office that gets the people who want employees together with the employees who want jobs.

Mr. SHOEMAKER. Mr. Chairman, particularly at this time I want to pay my respects to the Ways and Means Committee for placing upon the Committee on Labor a Farmer-Laborite, one of my colleagues from Minnesota [Mr. LUNDEEN] who has consistently worked with this committee, and I think you Labor members on the committee have found his an asset rather than a liability.

Mr. CONNERY. Will the gentleman yield?

Mr. SHOEMAKER. I yield.

Mr. CONNERY. The gentleman refers to the gentleman from Minnesota [Mr. LUNDEEN]?

Mr. SHOEMAKER. Yes.

Mr. CONNERY. The gentleman is a valued and wonderful member of that committee and we are very glad to have him there. [Applause.]

Mr. SHOEMAKER. This law will eliminate a very vicious system that has been going on among private employment agencies. They have had a habit of selling jobs for various contractors. The private employment agents have worked together with contractors, and they would hire men and send them out, charging a man \$3 for the job and then send them out on the job. They would work about long enough to earn the \$3 when they would be fired and then the employment agency would have another bunch coming.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. SHOEMAKER] has expired.

Mr. WELCH. I yield the gentleman 1 additional minute, Mr. Chairman.

Mr. SHOEMAKER. In this manner the private employment agencies were able to keep practically 3 crews on the same job all the time; 1 crew going to the job, 1 crew on the job, and 1 crew leaving the job. It was just a system that fleeced labor and stole money from the poor fellows who did the work for the benefit of a certain contractor who had tied up with a certain employment agency.

This law will eliminate that and put the private employment agencies out of the way and furnish labor with jobs, especially itinerant labor which travels over the country, for instance, threshing in North Dakota, then picking corn in Iowa, and then from Iowa down to the South harvesting cotton, and then back up to the woods over the winter.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. SHOEMAKER] has again expired.

Mr. WELCH. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, the bill, I think, has been thoroughly explained this afternoon by the different speakers, members of the committee who rose in favor of the bill.

As I said, our idea is to coordinate the job with the man. We do not figure the United States is always going to be in a state of depression. We figure there are jobs to come. Some of them are already starting to come, I think, with the new administration. When we get these employment offices established, cooperating with the States, we will have an organization eventually in every State in the Union which will see to it that the men and the positions are coordinated; that a man can go to an agency, Federal and State combined, and tell what kind of a job he wants. They will tell him where that kind of a job is.

I dislike to take up further the time of the House. I understand there is another rule to be brought up this afternoon, so I yield back the balance of my time, Mr. Chairman, and ask that the bill be read.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That (a) in order to promote the establishment and maintenance of a national system of public employment offices there is hereby created in the Department of Labor a bureau to be known as the "United States Employment Service", at the head of which shall be a director. The director shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive a salary at the rate of \$8,500 per annum.

(b) Upon the expiration of 3 months after the enactment of this act the Employment Service now existing in the Department of Labor shall be abolished; and all records, files, and property (including office equipment) of the existing Employment Service shall thereupon be transferred to the United States Employment Service; and all the officers and employees of such service shall thereupon be transferred to the United States Employment Service created by this act without change in classification or compensation, but the term of office of any person transferred by this section to the United States Employment Service, and who was not appointed subject to the provisions of the Civil Service laws, shall expire upon the expiration of 6 months from the date of enactment of this act.

Mr. BROWN of Kentucky. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is a good bill and everybody recognizes that. I have not heard anyone say anything against it. My only reason for using 5 minutes of your time is that the other day when under a closed rule we considered the public works bill I did not have an opportunity to say what I wanted to say. I notice, however, that this bill gives me an opportunity to do that, because you are making here an appropriation of \$5,500,000. I want to ask first where are you going to get that money. The next thing I want to do is to tell you where I think you ought to be able to get it. Next, I want to tell you that you cannot get it where you ought to get it, and then I want to tell you why you cannot get it there. I will take about 5 minutes to do that. The gentleman on the other side was kind enough to yield me time, but I was called out of the Chamber and was not here, so it is not his fault that I have to use this method to get the time.

There is no question but what you should get your excess taxes from these fellows who have been evading and defaulting. When Mitchell can evade \$6,000,000, when Morgan and the other interests can beat their income taxes, that is the place you ought to get it. [Applause.] But let me say to my colleagues on the floor of this House that you cannot get it there, and I will tell you why you cannot get it. If you will get the income tax law and turn to the page that deals with limitations, you will find that in 1921 there began a conspiracy to defraud the Government of the United States out of its just tax money, and that today if you want to go back and sue for that money that they evaded and out of which they defrauded this country, you cannot do it under the law.

When the income tax law was passed in 1917, it had a 5-year period of limitation. For 5 years the Government could sue you for an evasion. When 1921 came along that was too long, and they cut the statute of limitations down to 4 years. Then in 1926 4 years was too much, and they cut it down to 3 years. In 1928 3 years was too much, and they cut it down to 2 years. Today, if you want to go back and sue those fellows who testified on their oaths that they have evaded their income tax, under the law written by this Congress you cannot do it.

In practically every State the statute of limitations is longer than 2 years. But if you evade the taxes owed the Government of the United States and they do not find it out for 2 years, you are scotfree so far as civil liability is concerned.

Now, I am introducing a bill to amend this section. I do not expect it to get very far, but it may do some good which will, if it can be done legally, make the limitation retroactive, allowing the Government 10 years to sue on the civil liability under those income-tax evasions of the last 10 years.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Kentucky. I yield.

Mr. BLANTON. I think that every one of those bills he mentions changing the limitation were drawn and specially prepared under the direction of Mr. Mellon and Mr. Mills; every one of them.

Mr. KNUTSON. Is the gentleman from Texas sure that Mr. Woodin did not have something to do with it?

Mr. BLANTON. Oh, yes; I am absolutely sure he did not.

Mr. BROWN of Kentucky. Of course, there is not much question in the minds of the people of the United States but what Mr. Mellon has been the President of the United States for the last 12 years, and undoubtedly it was under his supervision that these changes were made, until today, if you want to go back and collect the money out of which the United States was defrauded in those prosperous years, the law prohibits you from doing it.

You made the law. The power that made the law can change the law. This Congress ought to change that law so it can collect those back taxes. [Applause.]

[Here the gavel fell.]

The pro-forma amendment was withdrawn.

Mr. CONNERY. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment: Section 1, page 2, line 10, after the word "compensation", strike out to the period in line 15.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 2. The Secretary of Labor is authorized, in accordance with the Civil Service laws, to appoint and, in accordance with the Classification Act of 1923, as amended, to fix the compensation of one or more assistant directors and such other officers, employees, and assistants, and to make such expenditures (including expenditures for personal services and rent at the seat of Government and elsewhere, and for law books, books of reference, and periodicals) as may be necessary to carry out the provisions of this act.

With the following committee amendments:

Section 2, page 2, line 16, commencing with the word "in", strike out through the word "with", in line 17, and insert in lieu thereof the words "without regard to".

Mr. CONNERY. Mr. Chairman, with this amendment and another one which is to be reported the bill will read as follows:

The Secretary of Labor is authorized, without regard to the Civil Service laws, to appoint and, without regard to the Classification Act of 1923, as amended—

And so forth.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment to section 2: Page 2, line 17, commencing with the word "in", strike out through the word "with", in line 18, and insert in lieu thereof the words "without regard to".

Mr. CONNERY. That is the other amendment of which I spoke.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment to section 2: Page 2, at the end of line 24, insert the following: "In case of appointments for service in the veterans' employment service provided for in section 3 of this act the Secretary shall appoint only veterans of wars of the United States."

Mr. CONNERY. Mr. Chairman, this is self-explanatory. It means that in the veterans' offices the Secretary of Labor will be obliged to appoint veterans.

The committee amendment was agreed to.

Mr. CARPENTER of Kansas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have not taken very much of the time of the House and do not expect to at this moment. I wish to discuss a matter that is in line with unemployment for 3 or 4 minutes, because when this bill comes up I probably will not have an opportunity to say anything.

Mr. Chairman, I arise to make this comment: We as a Nation, during the dark hours of the financial depression that we have been passing through the past 3 years and are now passing through, owe a great debt of gratitude to the labor of this country and especially to organized labor.

They have been true, loyal soldiers, making great sacrifices for their homes and country. It is noticeable we have had less labor trouble and fewer strikes than ever before during a period of like conditions, and during such period labor has suffered more and taken more on the jaw than anyone else. Why have they cooperated with this country to such a great extent? Because of their patriotism and for the reason, first of all, they are true, loyal American citizens. American labor is the last one who wants any communism in this country; it is fighting it harder than anyone else. We cannot therefore pass laws that will result in more unemployment. We should not pass a railroad law that will result in fewer jobs on the railroad. The railroad employees are our finest and highest type of citizen; they have been reduced and cut time after time. When this panic first struck the country and the heads of the railroads met here in Washington with President Hoover, they announced they would not discharge their employees, when as a matter of fact they were discharging them then and continued to do so in increasing numbers in direct violation of this agreement. The railroad brotherhoods and other railroad labor organizations have met every trying situation with great fortitude. They have taken care, through their lodge dues and contributions, of their unfortunate brothers. They are at the end of their rope. It is absolutely impossible for them to take care of and provide for all discharged railroad employees.

We are soon to consider the railroad bill, and if we pass this bill let us pass it with such amendments as will give the utmost protection to the railroad employees and the public. [Applause.]

The pro-forma amendment was withdrawn.

The Clerk read as follows:

SEC. 3. (a) It shall be the province and duty of the bureau to promote and develop a national system of employment offices for men, women, and juniors who are legally qualified to engage in gainful occupations, to maintain a farm-placement service, to maintain a public employment service for the District of Columbia, to cooperate with the Veterans' Administration in securing employment for veterans and, in the manner hereinafter provided, to assist in establishing and maintaining systems of public employment offices in the several States and the political subdivisions thereof. The bureau shall also assist in coordinating the public employment offices throughout the country and in increasing their usefulness by developing and prescribing minimum standards of efficiency, assisting them in meeting problems peculiar to their localities, promoting uniformity in their administrative and statistical procedure, furnishing and publishing information as to opportunities for employment and other information of value in the operation of the system, and maintaining a system for clearing labor between the several States.

(b) Whenever in this act the word "State" or "States" is used it shall be understood to include the Territory of Hawaii.

With the following committee amendments:

Page 3, in line 4, after the word "occupations", insert "to maintain a veterans' service to be devoted to securing employment for veterans."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 3, line 6, after the word "Columbia", strike out to the word "and" in line 8.

Mr. CONNERY. Mr. Chairman, the language stricken reads: "to cooperate with the Veterans' Administration in securing employment for the veterans." The language of the previous amendment to maintain veterans' offices makes this unnecessary.

The committee amendment was agreed to.

Mr. CONNERY. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. CONNERY: Page 3, line 11, after the word "thereof", insert the words "in which there shall be located a veterans' employment service."

The committee amendment was agreed to.

Mr. DIMOND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIMOND: On page 3, line 22, after the word "the", strike out the words "Territory of Hawaii" and insert in lieu thereof the following: "Territories of Hawaii and Alaska."

Mr. DIMOND. Mr. Chairman, the amendment is very plain. We simply wish to have the Territory of Alaska included with the Territory of Hawaii in order to receive the benefits of this bill. The gracious gentleman from Massachusetts has said he has no objection to the amendment and the amendment was actually prepared by my friend the gentleman from California [Mr. WELCH], so I think there is no necessity to speak upon the amendment further.

Mr. CONNERY. Mr. Chairman, I will be pleased to accept the amendment, but I dislike to see Puerto Rico left out. I wonder if the gentleman could change the amendment to read "Territories."

Mr. KNUTSON. If the gentleman will yield, Puerto Rico is not a Territory, and that change would not include Puerto Rico. There are only two Territories. The others are insular possessions.

Mr. CONNERY. Then I withdraw my suggestion, Mr. Chairman, and I shall be pleased to accept the amendment if the Committee agrees to it.

The amendment was agreed to.

Mr. GOSS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. In section 3 there are several references to "the Bureau", for instance, in line 2, line 11, and so on. There has been no definition of a bureau theretofore mentioned in the bill.

Mr. CONNERY. Yes; on page 1 there is the language—

That (a) in order to promote the establishment and maintenance of a national system of public employment offices there is hereby created in the Department of Labor a bureau to be known as the United States Employment Service.

Mr. GOSS. So the word "bureau" in all of these sections refers to that particular bureau?

Mr. CONNERY. To that particular bureau in the Department of Labor; yes.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Sec. 4. In order to obtain the benefits of appropriations apportioned under section 5, a State shall, through its legislature, accept the provisions of this act and designate or authorize the creation of a State agency vested with all powers necessary to cooperate with the United States Employment Service under this act. If the legislature of any State has not made provision for accepting the provisions of this act, the Governor of such State may, insofar as he is authorized to do so by the laws of such State, accept the provisions of this act and designate or create a State agency to cooperate with the United States Employment Service until 6 months after the adjournment of the first regular session of the legislature in such State following the passage of this act.

Mr. CONNERY. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. CONNERY: On page 4, line 4, after the word "act", strike out to the period in line 12.

Mr. CONNERY. Mr. Chairman, I may say that we have language in another amendment which will be offered later which clarifies this entire situation with reference to the States, providing that if the legislatures agree to take advantage of the provisions of this act at their first meeting, then they shall receive the benefits of the legislation.

The committee amendment was agreed to.

The Clerk read as follows:

Sec. 9. Each State agency cooperating with the United States Employment Service under this act shall make such reports concerning its operations and expenditures as shall be prescribed by the Director. It shall be the duty of the Director to ascertain whether the system of public employment offices maintained in each State is conducted in accordance with the rules and regulations and the standards of efficiency prescribed by the Director in accordance with the provisions of this act. The Director may revoke any existing certificates or withhold any further certificate provided for in section 7, whenever he shall determine, as to any State, that the cooperating State agency has not properly expended the moneys paid to it or the moneys herein required to be appropriated by such State, in accordance with plans approved under this act. Before any such certificate shall be revoked or withheld from any State, the director shall give notice in writing to the State agency stating specifically wherein the State has failed to comply with such plans. The State agency may appeal to the Secretary of Labor from the action of the director in any such

case, and the Secretary of Labor may either affirm or reverse the action of the director with such directions as he shall consider proper.

Mr. CONNERY. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. CONNERY: On page 9, line 4, after the word "proper", insert section 10, as follows:

"Sec. 10. During the current fiscal year and the 2 succeeding fiscal years the director is authorized to expend in any State so much of the sum apportioned to such State according to population, and so much of the unapportioned balance of the appropriation made under the provisions of section 5 as he may deem necessary, as follows:

"(a) In States where there is no State system of public employment offices, in establishing and maintaining a system of public employment offices under the control of the director.

"(b) In States where there is a State system of public employment offices, but where the State has not complied with the provisions of section 4, in establishing a cooperative Federal and State system of public employment offices to be maintained by such officer or board and in such manner as may be agreed upon by and between the Governor of the State and the director.

"The authority contained in this section shall terminate at the expiration of the period specified in the first paragraph of this section, and thereafter no assistance shall be rendered such States until the legislatures thereof provide for cooperation with the United States Employment Service as provided in section 4 of this act."

Mr. CONNERY. Mr. Chairman, this is the amendment that provides that the States may receive this aid during the interim or until their legislatures meet. When the legislatures meet and take advantage of this provision and say they will subscribe to the legislation, then they can have their own employment offices.

The committee amendment was agreed to.

The Clerk completed the reading of the bill.

The following committee amendments were reported:

Page 9, line 5, strike out the figure "10" and insert "11."

Page 10, line 3, strike out "11" and insert "12."

Page 10, line 7, strike out "12" and insert "13."

The Committee amendments were agreed to.

The CHAIRMAN. Under the rule the Committee automatically rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. HASTINGS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill S. 510, to provide for the establishment of a national employment system, and for cooperation with the States in the promotion of such system, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended to pass.

The SPEAKER. Under the rule the previous question is ordered. Is a separate vote demanded on any amendment?

There being no demand for a separate vote, the amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. CONNERY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The bill H.R. 4559 was laid on the table.

THE PROGRESSIVE NATIONAL EMPLOYMENT BILL—EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, this is legislation which Senator WAGNER, of New York, has championed for the past 3 years and which was passed by a former Congress and vetoed by then President Hoover.

This bill is reported out unanimously by our great Committee on Labor, which in itself is sufficient to recommend it to our favorable consideration. Any measure which is endorsed by Chairman CONNERY and his associates is certain to be progressive and in the interests of labor and beneficial to the masses, who produce the wealth and make possible the comfort and happiness of all the people.

I hope and believe that this bill, if properly administered, will do much to end the flagrant abuses and vicious practices of the private employment agencies in this country. It will

provide a medium of contact between the employer and the employee, tend to stabilize employment, and assemble statistical facts and information to preclude the recurring periodical cycles of unemployment with which we have been cursed in the past. I hope this bill will pass without a dissenting vote.

EXTEND TIME FOR FINAL PROOF BY HOMESTEAD ENTRYMEN

Mr. DE ROUEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H.R. 5239) to extend the provisions of the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, to desert-land entrymen, and for other purposes, and that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill as follows:

Be it enacted, etc., That the act entitled "An act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, is amended to read as follows:

"That the Secretary of the Interior is hereby authorized to extend for not exceeding 2 years the period during which final proof may be offered by any person who has a pending homestead or desert-land entry upon public lands of the United States on which at the date of this act or on any date on or prior to December 31, 1934, under existing law, final proof is required, showing residence, cultivation, improvements, expenditures, or payment of purchase money as the case may be: *Provided*, That any such entryman shall be required to show that it is a hardship upon himself to meet the requirements incidental to final proof upon the date required by existing law due to adverse weather or economic conditions: *And provided further*, That this act shall apply only to cases where adequate relief is not available under existing law.

"Sec. 2. The Secretary of the Interior is authorized to make such rules and regulations as are necessary to carry out the purposes of this act."

With the following committee amendments:

Page 2, line 1, after the word "which", insert "annual or."

Page 2, line 3, after the word "law", insert "annual or."

Page 2, line 8, after the words "incidental to", add "annual or."

The SPEAKER. Is there objection?

There was no objection.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time, and passed.

On motion of Mr. DE ROUEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ONE YEAR'S SEA PAY TO SURPLUS GRADUATES OF NAVAL ACADEMY

Mr. VINSON of Georgia. Mr. Speaker, I present a conference report on the bill (H.R. 5012) to amend existing law in order to obviate the payment of 1 year's sea pay to surplus graduates of the Naval Academy, for printing under the rule.

OFFICIAL CONDUCT OF HALSTED L. RITTER

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to consider in the House, as in Committee of the Whole House on the state of the Union, House Resolution 163, which is a privileged resolution, and which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 163

Resolved, That the Committee on the Judiciary is authorized and directed, as a whole or by subcommittee, to inquire into and investigate the official conduct of Halsted L. Ritter, a district judge for the United States District Court for the Southern District of Florida, to determine whether in the opinion of said committee he has been guilty of any high crime or misdemeanor which in the contemplation of the Constitution requires the interposition of the Constitutional powers of the House. Said committee shall report its findings to the House, together with such resolution of impeachment or other recommendation as it deems proper.

Sec. 2. For the purpose of this resolution, the committee is authorized to sit and act during the present Congress at such times and places in the District of Columbia and elsewhere, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearing, to employ such clerical, stenographic, and other assistance, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, to have such printing and binding done, and to make such expenditures, not exceeding \$5,000, as it deems necessary.

With the following committee amendments:

Page 2, line 5, strike out the words "to employ such clerical, stenographic, and other assistance"; and in line 9, on page 2, strike out "to have such printing and binding done, and to make such expenditures, not exceeding \$5,000."

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. SNELL. Does the gentleman say that this is a privileged resolution?

Mr. SUMNERS of Texas. Yes; but I am asking now unanimous consent that it be considered in the House as in Committee of the Whole.

Mr. WARREN. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. WARREN. Do I understand that the resolution has been reported striking out those lines that would be subject to a point of order?

Mr. SUMNERS of Texas. It does strike out all the proposed appropriation.

Mr. BLANTON. Mr. Speaker, I reserve the right to object to ask some questions. This is more than a request that the resolution be considered in the House as in Committee of the Whole. It is asking for immediate consideration, and in the House as in Committee of the Whole, because otherwise it would not be in order and would necessitate calling up a rule; but I want to ask my colleague from Texas some questions. The striking out of all of this language which limits the expense to \$5,000 leaves the expense open and unlimited. We want all expenses properly limited.

Mr. GREEN. Oh, there will be no expense.

Mr. BLANTON. Oh, there is always expense involved in investigating the conduct of a Federal judge, and there will be expense down in Florida. However, I am not uneasy about my colleague from Texas [Mr. SUMNERS] incurring unreasonable expense if he is going to look after this matter himself and keep the expense within bounds. I think the whole Congress owes a debt of gratitude to the gentleman from Texas [Mr. SUMNERS]. In the last investigation he made, on a 3 weeks' investigation, instead of sending in a bill of several thousand dollars, he ended with a bill of less than \$200 for his expenses. That is commendable, and I would like to ask the gentleman whether or not he is going to keep these expenses within the \$5,000?

Mr. SUMNERS of Texas. For investigation?

Mr. BLANTON. Yes; the expenses under this resolution.

Mr. SUMNERS of Texas. I can assure my colleague—and I know that I can do it—that the expenses will not be half of \$5,000.

Mr. BLANTON. Mr. Speaker, I withdraw my reservation of objection.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. SNELL. Do I understand that all the provisions for expenses have been stricken out of this resolution?

Mr. SUMNERS of Texas. Yes.

Mr. SNELL. Does this come with a unanimous report from the Committee on the Judiciary?

Mr. HOOPER. Mr. Speaker, if the gentleman will allow me, it is a unanimous report as far as the committee is concerned—not the entire committee, but practically so. In addition to that, I would be the last person in the House to sanction an assault upon the Federal judiciary which seems to be in the air in the House at this time, but I do believe that this is a matter where a good prima facie case has been made out for an investigation.

Mr. SNELL. I think we ought to have notice of when matters of this kind are going to be brought up. I do not think they should be brought in here and passed hastily by unanimous consent.

Mr. SUMNERS of Texas. I am perfectly willing to let it go over if the gentleman desires.

Mr. SNELL. No; not this time. But I think in future that notice should be given to us when matters of this kind are to be brought up.

Mr. SUMNERS of Texas. I think the gentleman is right about that as a matter of practice.

The SPEAKER. The gentleman from Texas asks unanimous consent that the resolution be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk again reported the resolution and the committee amendments.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question now is on the adoption of the resolution.

The resolution as amended was agreed to.

A motion to reconsider the vote by which the resolution was agreed to was laid on the table.

RELIEF OF EXISTING NATIONAL EMERGENCY IN RELATION TO INTERSTATE RAILROAD TRANSPORTATION, ETC.

Mr. POULSON, from the Committee on Rules, submitted the following privileged resolution (H.Res. 169) for printing under the rule:

House Resolution 169

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 1580, an act to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended; and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider, without the intervention of any point of order, the substitute committee amendment recommended by the Committee on Interstate and Foreign Commerce now in the bill, and such substitute, for the purpose of amendment, shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

INVESTIGATION OF CIVIL SERVICE COMMISSION

Mr. COX. Mr. Speaker, I call up the resolution H.Res. 146.

The Clerk read as follows:

House Resolution 146

Resolved, That for the purpose of obtaining information necessary as a basis for legislation, the Committee on Civil Service, as a whole or by subcommittee, is authorized to investigate the Civil Service Commission, the heads of all the departments, commissions, and independent offices, to determine whether the third paragraph of section 2 of the act of January 16, 1883, being "An act to regulate and improve the Civil Service of the United States", as follows:

"Third, appointments to the public service aforesaid in the departments at Washington shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census";

has been enforced and whether each State has its quota of Federal employees in the District of Columbia in the several departments, commissions, or independent offices, as required by said act.

The committee shall report to the House the results of its investigation, including such recommendation for legislation as it deems advisable.

The committee or any subcommittee thereof is authorized to hold such hearings, within the District of Columbia, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony and report its recommendations to the House.

With the following committee amendment:

On page 2, in line 11, after the word "hearings" insert "within the District of Columbia."

Mr. BLANTON. Mr. Speaker, I want to ask some questions. Will the gentleman yield?

Mr. COX. I yield to the gentleman.

Mr. BLANTON. I should like to say to the gentleman from Georgia, that while I am in sympathy with the purpose of the resolution 100 percent, I should like for him to state what is the necessity of passing it? My friend from Oklahoma [Mr. HASTINGS] put in the RECORD on May 10

(p. 3195) authentic statistics and figures showing just exactly the quota of Civil Service employees due each State and the District of Columbia and the number of Civil Service employees employed from each State and from the District of Columbia. He then showed the amount of the quota that was short in the various States and the amount of the quota that was specially long in three States and the District of Columbia. For instance, if I remember correctly, the District of Columbia was entitled to 132 Civil Service employees. Yet the District of Columbia has had 10,778 people placed in positions, and thus has 10,646 more employees given positions than it is entitled to, while from the entire State of Texas only 433 Texans have been given positions. This is not fair. Now, those figures are authentic. That data is correct. The Senate of the United States is familiar with that data. There is now pending in the Senate, as the gentleman knows, our House bill to correct it.

Mr. MAPES. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. MAPES. I wonder how the gentleman from Texas got the floor?

Mr. BLANTON. My friend from Georgia yielded to me. He is in charge of the time.

Mr. COX. I cannot yield to the gentleman to make a speech.

Mr. BLANTON. But I wanted to get through with this question. [Laughter.] When the Senate knows of those facts, and we have a proper bill there to remedy the situation, why do we allow the Senate to amend it? Why do we not make our fight on that amendment? If the Senate does change it when it comes back here let us stand pat and require these inequities to be remedied and not spend our time and money uselessly in investigating.

Mr. COX. The purpose of the resolution is to enlarge the power of the Committee on the Civil Service and to authorize it to sit while the Congress is not in session.

Mr. BLANTON. What is the use of the committee sitting and getting facts that we already know?

Mr. COX. It is the purpose to get information to be used as a basis for legislation, if from those facts the committee finds it necessary.

Mr. BLANTON. I am in favor of the committee sitting from now until January if it takes that to give the States their just quotas, and they will produce legislation to correct this situation.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. WARREN. Will the gentleman yield?

Mr. COX. I yield.

Mr. WARREN. Is this going to be followed by another resolution asking for an appropriation?

Mr. COX. I take it, Mr. Speaker, that the Committee on the Civil Service may have to come with a resolution asking for an appropriation to meet expenses necessary to carry on its work later on. Let me say to the gentleman, the resolution provides that the sittings of the committee and the hearings which it conducts shall take place in the city of Washington. I take it if there is any expense incident to the hearings, it will be very little.

Mr. HASTINGS. Will the gentleman yield?

Mr. COX. I yield.

Mr. HASTINGS. I am the author of the resolution. Let me say the hearings will all be held in the District of Columbia, and it is not contemplated there will be any expense at all. The hearings will be conducted by the House Committee on the Civil Service. All of the witnesses who are expected to appear before the committee are in the District of Columbia, and it is not expected there will be any requests for any appropriation.

Mr. COX. Mr. Speaker, there is a feeling in this House to the effect that the Civil Service Commission has not, in good faith, undertaken to put into effect that provision of the act amending the Civil Service Act, which provides that appointments to public service in the departments in Washington shall be apportioned among the several States and

Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census. Rather than undertaking to carry out this provision of the act there is a feeling here that the Commission has intentionally carried on its work in such a way as to defeat the purpose of the law. An examination of the records will make disclosures that seemingly give complete justification for the conviction that the Commission has not acted in good faith. For instance, the District of Columbia at the present time is entitled to 131 places, and it has 10,695. The State of New York is entitled to 3,400 places, and it has but 1,864. Virginia is entitled to 654, and it has 2,251. New Jersey, entitled to 1,092, has but 406. Georgia, entitled to 786, has 382. In other words, the Commission has gone about the performance of its work in such manner as to indicate that it has a feeling that these places in the city of Washington belong to the District of Columbia and to neighboring States.

If I know the sentiment of this House, it is that these places shall be apportioned in accordance with the provision of law. I believe it to be the determination of Congress that equitable treatment shall be given all of the States, and that the Congress is going to have this kind of treatment, if it be even at the expense of repealing our Civil Service law. [Applause.]

Mr. Speaker, I want to say for myself and upon my own responsibility, that I believe the Civil Service is responsible for more deadheading, for more inefficiency, and for more disloyalty to the Government than all other agencies, public and private, combined. [Applause.] The Civil Service Commission has coming to it all the unfavorable implications that arise out of the adoption of this resolution, for it is a protest against the manner in which the Commission has done its work.

I believe this resolution ought to pass, that the investigation ought to be made, believing there will be forthcoming suggestions of legislation that will cure the evils which everybody knows exist.

Mr. SNELL. Mr. Speaker, will the gentleman yield for a question?

Mr. COX. Yes.

Mr. SNELL. What else is back of this resolution, considering the fact that in practically every piece of legislation you have passed this session you made a special provision doing away with the Civil Service requirements as for the appointment of individuals to these positions? Within 15 minutes you have just struck out of a bill a provision for the appointment under Civil Service Act of the employees needed to carry out the legislation; and, considering that you do not intend to pay any attention to the Civil Service Act, why is there any necessity for this resolution at the present time?

Mr. HASTINGS. If the gentleman from Georgia will permit, I may say to the gentleman from New York there are about 33,000 Civil Service positions here in Washington. The act of January 16, 1883, enacted 50 years ago, provided that these places should be apportioned among the States in accordance with the population.

Mr. SNELL. I grant that. The gentleman has all that information at the present time. If it is anything more the committee needs they can get it by calling up the Civil Service Commission with practically no expense or trouble.

Mr. HASTINGS. And we do not intend to incur any expense in the investigation.

Mr. SNELL. The gentleman from Georgia himself said they proposed to go to the Committee on Accounts for authorization to make expenditures.

Mr. COX. That statement was made by me without having consulted the chairman of the committee. I naturally expected that if the committee summoned witnesses and conducted hearings that it would incur some small expense.

Mr. SNELL. The Chairman of the Civil Service Commission can give the committee this information without a particle of expense.

Mr. HASTINGS. If the gentleman from Georgia will yield further, we do not expect any expense to be incurred in connection with it except the expense of stenographically taking the testimony. It is expected that the House committee, if it conducts an investigation, will call before it members of the Civil Service Commission and the heads of departments and others who have information, for the purpose of making inquiry why this law has not been carried into effect for the past 50 years.

Mr. SNELL. If that is all the committee intends to do it does not need this resolution. It has that power at the present time.

Mr. BLANTON. Not to sit in vacation.

Mr. SNELL. Any man in the service of the Government will respond when a committee of Congress asks him to come before it.

Mr. BLANTON. If they are going to do a thorough job, they must sit in vacation, and to do that they must have authority.

Mr. SNELL. If they are to sit in vacation, that is another thing.

Mr. BLANTON. That is what they intend to do.

Mr. SNELL. I want to know the reason why these gentlemen are so much interested in Civil Service at the present time. This has not been brought out. There is something behind this bill, for so far this session the only interest shown is to do away with it.

Mr. HASTINGS. I have been trying to tell the gentleman from New York that according to the records the State of California is entitled to a certain number of employees and has but 22 percent of its quota. Texas is entitled to a certain number and has but 27 percent of its quota. Oklahoma has but 30 percent of its quota.

We have had this law on the statute books for 50 years, and it has been evaded by the Civil Service Commission. What we want to do is to call them before the committee, place them under oath, take testimony, and then determine why this law has been evaded. Then, if it is found necessary to strengthen the law, the committee, of course, is authorized to report such legislation back to the House.

Mr. SNELL. The committee has that information. The committee has the facts. What else is there behind it?

Mr. HASTINGS. The hearings may develop a method by which the Civil Service law can be strengthened.

Mr. SNELL. The Democrats in power now do not intend to follow the Civil Service law, and the gentleman knows they do not. Why is the gentleman worried about the Civil Service law?

Mr. HASTINGS. The gentleman from New York will admit that the spirit of this law has been evaded and that the various States of this Union have not been fairly dealt with.

Mr. SNELL. What right have you got to call them to task for not obeying the Civil Service law when every single bill you have passed here in the House says it is not necessary to obey it? When you yourselves are doing everything possible to destroy it?

Mr. HASTINGS. That is new legislation.

Mr. SNELL. You did that again 15 minutes ago here in this House.

Mr. COX. Will the gentleman permit me to answer?

Mr. SNELL. The gentleman has the floor.

Mr. COX. There has been no legislation to the effect that the Civil Service laws should not be enforced. There has been legislation providing that places to be distributed should not come under the Civil Service rules.

Mr. SNELL. Certainly.

Mr. COX. But nothing has been said that the Civil Service regulations should be suspended.

Mr. SNELL. Does not the gentleman call it suspending them when an organization of 5,000 employees is set up and the law setting them up says they need not come under Civil Service regulations? That has been done in every im-

portant job-creating bill passed this session. You did it today. You will do it again tomorrow in the railroad bill.

Mr. COX. No; it just simply states that the work shall not be under the Civil Service.

Mr. SNELL. Certainly; so you can make purely political appointments, and that is what you have been doing with respect to every one of these bills.

Mr. BANKHEAD. If the gentleman will permit, I may say to the gentleman from New York that in all probability the reason these recent provisions have been put in the bill is because of knowledge of the fact that the Civil Service Commission itself has been violating existing law.

Mr. SNELL. That is not the real reason, and the gentleman from Alabama knows it just as well as I do.

Mr. COX. Mr. Speaker, I yield to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER of Alabama. Since the gentleman from New York expresses such great solicitude about the matter—

Mr. SNELL. I am not expressing solicitude, I am trying to get information.

Mr. OLIVER of Alabama. Well, I will say since the gentleman has been informed that there will be no expense incident to the investigation—

Mr. SNELL. The gentleman will recall that the gentleman from Georgia who presented the resolution said there would probably be some expense.

Mr. OLIVER of Alabama. Surely, then, since the House is sufficiently interested to direct that the committee make an investigation this should carry with it a good deal of force and should be a complete answer to the question the gentleman from New York asks. Within the scope of this investigation, I am inclined to think that since some question has been raised as to whether the law has been carried out in good faith relative to appointments within the District, it would be well within the powers of the committee to ask of witnesses, qualified to give the facts, the number in the unclassified service from the different States. It might be very informing to the gentleman to have such information.

Mr. SNELL. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. SNELL. If you intend to honestly and fairly enforce the Civil Service law, I think it is all right; but, certainly, from your acts so far in this special session of Congress you have not given the impression to the country that you intend to pay any attention to the Civil Service law. Is not that the fact, honestly?

Mr. OLIVER of Alabama. The gentleman will find out when this investigation has been completed.

Mr. SNELL. That is not answering my question.

Mr. OLIVER of Alabama. May I say to the gentleman that he is speaking without accurate information and my answers to questions he asks would also be without information further than what the gentleman from Oklahoma [Mr. HASTINGS] has already given the House. The gentleman will find, I think, that there will be very interesting data disclosed both as to appointments in the classified and unclassified services. I venture to predict that the gentleman will find there has been some favoritism shown to the political party in power since 1921, and of which he is a member.

Mr. SNELL. Let me say to the gentleman that I have accurate information that 15 minutes ago you struck out the Civil Service provision in regard to the new employment bureau that you are going to set up, and will employ hundreds of employees. That is accurate information, is it not?

Mr. COX. Is the gentleman satisfied with the work of the Civil Service Commission so far as it affects the State of New York?

Mr. SNELL. The gentleman said I did not have accurate information. I am talking about what you have done

on these important bills, and to that extent my information is accurate.

Mr. COX. Is the gentleman satisfied with the work of the Civil Service Commission insofar as it affects the State of New York?

Mr. SNELL. I am frank to say I do not know very much about it, and if that was all you had in mind I would not care.

Mr. COX. If New York is entitled to 2,400 places here in the District of Columbia and only has 1,800—

Mr. SNELL. You have that information, you have the law, and all that has to be done is for the Civil Service Committee of the House to see that the law is followed. You have full control and you can make your own people abide by the law.

Mr. GREEN. This is one of the ways we are trying to do that, and does not the gentleman believe that the States that have not their quota ought to have them?

Mr. SNELL. I agree to that, and I have no objection to that.

Mr. GREEN. That is what we are trying to do and my people want positions.

Mr. COX. May I inquire of the gentleman from Michigan [Mr. MAPES] if he would like me to yield to him now?

Mr. BLANTON. Will the gentleman yield to me for just one moment?

Mr. COX. If the other gentleman will defer a moment; yes.

Mr. BLANTON. I want to state to the gentleman from New York [Mr. SNELL] that he has overlooked what this resolution provides in that it authorizes this committee "to make such recommendations for legislation as it deems advisable."

Mr. SNELL. Will the gentleman yield there?

Mr. BLANTON. Yes.

Mr. SNELL. They can make that recommendation now. They have all the information available, and the gentleman knows they have it. They need no new authority to recommend changes in the law.

Mr. BLANTON. But without this resolution that authorizes it they cannot sit after this Congress adjourns on the 10th—and we are hoping to adjourn on the 10th.

Mr. SNELL. They cannot pass any legislation then, anyway.

Mr. BLANTON. But they can ascertain facts and make recommendations. We want to authorize them to sit during the vacation.

Mr. SNELL. Then it is going to cost some money, and the gentleman on your own side said it would not cost anything.

Mr. RANSLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Speaker, unless something more is intended by this resolution than appears on its face, it is wholly unnecessary and useless; but, as has been suggested in the colloquy between the gentleman from New York and others on the Democratic side, probably more is intended than is shown on its face. The gentleman from Georgia, in the course of his remarks, said something to the effect that—

the Civil Service Commission is entitled to such a riding as this committee is prepared or proposes to give it.

If this resolution is for the purpose of riding the Civil Service Commission, that is one thing. If it is for the purpose of getting the information which the resolution refers to, then it is entirely unnecessary because the Civil Service Commission can give the information to anyone within a few minutes. It is available at the office of the Commission upon request.

Yesterday afternoon, about 4 o'clock, I called the Commission over the telephone and asked if I could get the information the resolution calls for or authorizes the Civil Service Committee to get. This morning before 11 o'clock there was delivered to my office a statement giving all the

information asked for as of the close of business yesterday afternoon. The statement is as follows:

UNITED STATES CIVIL SERVICE COMMISSION, WASHINGTON, D.C.

Condition of the apportionment at the close of business Wednesday, May 31, 1933

State	Entitled	Received
IN ARREARS		
1. Puerto Rico.....	416	20
2. Hawaii.....	99	11
3. California.....	1,530	337
4. Texas.....	1,570	428
5. Arizona.....	117	83
6. Oklahoma.....	646	197
7. Alaska.....	16	5
8. Michigan.....	1,305	440
9. Arkansas.....	500	178
10. Louisiana.....	566	204
11. New Jersey.....	1,089	406
12. Alabama.....	713	307
13. Oregon.....	257	125
14. Georgia.....	784	382
15. South Carolina.....	469	230
16. Mississippi.....	542	270
17. Wisconsin.....	792	403
18. Ohio.....	1,792	921
19. New Mexico.....	114	59
20. Illinois.....	2,057	1,112
21. New York.....	3,393	1,804
22. North Carolina.....	855	480
23. Washington.....	421	239
24. Connecticut.....	433	252
25. Nevada.....	25	15
26. Montana.....	145	88
27. Tennessee.....	705	438
28. Wyoming.....	61	39
29. Kentucky.....	705	481
30. Florida.....	356	274
31. North Dakota.....	183	130
32. Colorado.....	279	211
33. Pennsylvania.....	2,596	1,966
34. Idaho.....	120	92
35. Minnesota.....	691	536
36. Missouri.....	978	773
37. Kansas.....	507	405
38. Indiana.....	873	699
39. Nebraska.....	371	304
40. South Dakota.....	187	159
41. Utah.....	137	123
42. Rhode Island.....	185	170
43. Massachusetts.....	1,145	1,098
44. Delaware.....	64	63
45. Maine.....	215	212
46. West Virginia.....	466	464
IN EXCESS		
47. New Hampshire.....	125	126
48. Iowa.....	666	739
49. Vermont.....	97	124
50. Virginia.....	653	2,246
51. Maryland.....	440	2,088
52. District of Columbia.....	131	10,659
GAINS		
By appointment.....		2
By transfer.....		7
By correction.....		1
Total.....		10
LOSSES		
By separation.....		75
By transfer.....		7
Total.....		82
Total appointments.....		33,625

As the information is so readily available to anyone, it may be assumed that the purpose of the resolution is now, as stated by the gentleman from Georgia, to give the Civil Service Committee a chance to ride the Civil Service Commission, or, as the gentleman from Alabama [Mr. OLIVER] disclosed, to inquire about the unclassified service as well as the classified. It is quite probable that the sponsors of the resolution are more interested in the unclassified Civil Service than they are in the classified.

As the gentleman from New York has pointed out, there has been a persistent policy through this session of Congress to inject into all special legislation that has been passed a provision to take out of the classified Civil Service the positions created thereby to such an extent that the friends of the merit system have become alarmed.

The same subject matter embraced in this resolution has been gone into several times in recent years. I am told by the gentleman from New York [Mr. TABER] that the

matter was gone into by the Committee on Appropriations in the hearings held recently on the independent offices bill. Three or four years ago a Senate committee went over the same matter, and I have here a pamphlet issued by the Civil Service Commission, dated January 1932, which treats of the entire matter in detail.

The people from the States distant from the District of Columbia have not cared to leave their homes to take the positions in the Government service in the District of Columbia. They have not taken the necessary examinations to get on the eligible lists.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. RANSLEY. Mr. Speaker, I yield the gentleman 5 minutes more.

Mr. MAPES. Furthermore, legislation has been passed from time to time giving veterans a preference when it came to making up the eligible lists and in making appointments so that it has been impossible for the Civil Service Commission to apportion the employees in the District according to the population of the States. I have before me here a copy of the hearings before the Senate committee to which I have referred. The then chairman of the Commission, Mr. William C. Deming, appeared before that committee at that time and among other things said:

So far as the disparity in the State apportionment of appointments is concerned, the Commission is able and ready to state the full reasons why the disparity exists, to point out its constant efforts to maintain approximate equality in the apportionment, and, of course, to give to the committee of the Senate any other information regarding its work that is available or can be made so.

The Civil Service Commission is not interested in the residents of one State above those of another. The Commission is wholly in favor of the apportionment provision of the Civil Service law. It is beyond the power of the Commission, however, to create eligibles from the States that are in arrears under the apportionment. If the residents of the States in arrears are not sufficiently interested in positions in the departmental service at Washington to apply for them and become eligible for appointment, after having had due notice of examinations and full opportunity to enter them, they cannot reasonably object if residents of other States who have applied are examined and appointed. The vacancies must be filled. The Civil Service Commission has no alternative, but is required to certify for appointment the available eligibles, regardless of their residence.

The purpose of Government employment is not to provide places for individuals but to transact the public business. If some States do not supply the workers, others must.

He then goes on to say that when examinations are to be held, the Commission sends notices of them to every postmaster in the United States, asking the postmaster not only to place a copy of the same on the bulletin board in his office but to notify the newspapers of them as well, so as to give as much publicity about them as possible. It is not the fault of the Commission that more have not taken the examinations and qualified. What more can the Commission do and what more facts can the Civil Service Committee of the House of Representatives ascertain than are already available?

Mr. HASTINGS. Mr. Speaker, will the gentleman yield?

Mr. MAPES. Yes.

Mr. HASTINGS. Does the gentleman know that in his State of Michigan only 32 percent of the Michigan quota is employed? Does not the gentleman believe that in the State of Michigan there are plenty of well-qualified men and women to fill that quota 100 percent; and does he not believe that his constituents and the people of Michigan are desirous of having their quota filled to the limit?

Mr. MAPES. I know from the information the Civil Service Commission furnished me this morning that at the close of business last night Michigan's quota was 1,305.

The SPEAKER. The time of the gentleman from Michigan has again expired.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 minutes more.

Mr. MAPES. And that it actually had only 440 employees in the Government service in the District of Columbia.

Mr. HASTINGS. That is 33 percent.

Mr. MAPES. About that; but the gentleman has all that information now.

Mr. HASTINGS. We want to know why the law is not complied with, and the only way that we can do that is through an investigation of how it is being administered by the Civil Service Commission.

Mr. MAPES. But the resolution only asks for the facts, and the common sense of the gentleman from Oklahoma will tell him why the law cannot be fully complied with. It is because the people of Oklahoma and other States until the last few years have not qualified, have not cared to enter the Government service in the District of Columbia. They have preferred to enter the Government service either in their home States or to remain in private business.

Mr. HASTINGS. That does not answer the question.

Mr. MAPES. And it should not be lost sight of that only about 6 or 7 percent of the classified civil service of the Government comes within the District of Columbia. The rest is in the gentleman's State and in other States. As far as possible local people are selected to fill local jobs.

The gentleman will find that the passage of this resolution will not produce any more information than is now available to anyone upon the asking.

Mr. HASTINGS. Then, why does the gentleman object to the passage of the resolution and having a fair investigation by a committee of this House, without any expense, here in the District of Columbia?

Mr. MAPES. I object to doing useless things, and I object to the inference in this resolution, criticizing and finding fault with the Civil Service Commission, when it is not at fault at all.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. MAPES. I yield.

Mr. OLIVER of Alabama. The gentleman is aware of the fact that when a Civil Service examination is held and a register established, such register does not die with the filling of the vacancies that then exist, but it is continued on.

Mr. MAPES. Oh, not indefinitely.

Mr. OLIVER of Alabama. Well, for quite awhile.

Mr. MAPES. For 1 year.

Mr. OLIVER of Alabama. But the gentleman is further aware that oftentimes there are many in a State like Michigan and other States with an under quota that would like to have a new examination held so that citizens of such States may have an opportunity to qualify.

Mr. MAPES. But there are very few on the eligible lists now, because examinations have not been held recently. I should like to call the gentleman's attention to the fact that when the Commission is requested to furnish appointing officers with a list of eligibles, if the States that are behind in their quotas have people on the eligible list, those people are certified to the appointing officers, rather than eligibles from States that have more than their quota.

Mr. COX. Does the gentleman believe that to be the case?

Mr. MAPES. Yes.

Mr. COX. Does the gentleman not understand that the Commission has been reducing those places credited to States that are under their quota all along? For instance, the State of New Jersey in July 1932 was entitled to 1,256 places and it has but 465. In July 1933 entitled to 1,032, and, instead of letting it remain at 465, they took away 59 more from them.

Mr. MAPES. The gentleman is questioning the accuracy of my statement.

Mr. COX. No. I do not question the accuracy of the gentleman's statement. I asked the gentleman if he understood that to be the fact.

Mr. MAPES. Just a minute and I will answer the gentleman. Somewhere in the documents I have here the very definite statement is made that, in certifying the list of eligibles for vacancies, if there are eligibles from States that have not used all of their quota, the eligibles from these States are certified, and not ones from the States where the quota has been exceeded.

The SPEAKER. The time of the gentleman from Michigan [Mr. MAPES] has expired.

Mr. COX. Mr. Speaker, I yield to the gentleman from Alabama [Mr. JEFFERS] for the purpose of offering an amendment.

Mr. JEFFERS. I offer an amendment, Mr. Speaker, which I send to the desk.

Mr. SNELL. How can an amendment be offered under the rule?

Mr. COX. The resolution itself is privileged.

Mr. SNELL. Is it an open resolution, so that anybody may offer amendments as they see fit?

Mr. BLANTON. The chairman certainly has the right to yield for the purpose of offering an amendment.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Alabama [Mr. JEFFERS].

The Clerk read as follows:

Amendment offered by Mr. JEFFERS: Page 2, line 10, strike out lines 10 to 14 and insert in lieu thereof the following: "The said committee, or any subcommittee thereof, is authorized to sit and act at such times and places within the District of Columbia, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, by subpoena or otherwise, and to take such testimony as it deems necessary. Subpoenas may be issued under the signature of the Chairman of the Civil Service Committee or of the chairman of any subcommittee, and shall be served by any person designated by any of them. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, wilfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States."

Mr. SNELL. Mr. Speaker, I make a point of order against the amendment.

The SPEAKER. The gentleman will state the point of order.

Mr. SNELL. I did not understand the amendment very clearly. As I understand, this provides for holding examinations and investigations outside the District of Columbia.

Mr. JEFFERS. No, no; within the District of Columbia. If the gentleman will reserve his point of order.

Mr. SNELL. I will reserve the point of order.

Mr. JEFFERS. Mr. Speaker, as Chairman of the Civil Service Committee to which this investigation is assigned, I have looked over this resolution, and I find it needs to be strengthened in some respects, and that is the object of this amendment.

The amendment provides, for one thing, that if the chairman of the committee or any subcommittee thereof deems it necessary, they may have the power of administering oaths to witnesses. That authority is not in the resolution, but should be.

Mr. SNELL. I withdraw the point of order.

Mr. JEFFERS. It still confines the investigation to the District of Columbia. There is no change in that.

Now, let me say to the gentleman from Michigan [Mr. MAPES], a great many of the things which he has pointed out regarding the Commission are true, particularly with regard to information which we have been able to secure in the past without such resolution as this. The Committee on Civil Service has for some time been giving consideration to the matter of trying to work out something which can later be written into law to help the Civil Service Commission to work out some of the complications they have run into in the past, so that they can administer the law with better results. We are not unduly critical of the Commission. We desire to help them.

This resolution gives the authority to the Civil Service Committee to administer oaths and to sit while Congress is not in session. Therefore, this resolution is absolutely necessary.

Mr. Speaker, I yield to the gentleman from Michigan for a question.

Mr. MAPES. Mr. Speaker, I did not want the gentleman to yield so much to ask a question as for the purpose of giving the gentleman from Georgia and the House the basis for the statement which I made in answer to the question which the gentleman from Georgia [Mr. Cox] asked me.

I have here a bulletin of the Civil Service Commission issued in January 1932 and in which is this very definite statement:

The Commission does not certify eligibles from any State in excess so long as eligibles are available from States in arrears under the apportionment except that those who are allowed preferences because of military service are certified without regard to the apportionment.

This is the basis for the statement, the correctness of which the gentleman from Georgia was inclined to question.

Mr. COX. Of course, the gentleman realizes that the Civil Service Commission knows in advance when occasions will arise for the putting of more people on the rolls.

Mr. MAPES. I do not know that. I have no information about it.

Mr. COX. At the same time they also know in what particular class certain States under the quota have nobody on the eligible list; and in order that they may continue to show favoritism, as has been the case throughout the years, they do not take steps to hold Civil Service examinations, and when the necessity comes for filling the places they name persons from the District of Columbia or some other State which has far exceeded its quota who happen to be on an eligible list that the Civil Service Commission has made up.

Mr. MAPES. Let me ask the gentleman from Georgia what earthly reason the members of the Civil Service Commission have for preferring people in the District of Columbia or Virginia or Maryland over those from other States?

Mr. JEFFERS. That is what we want to find out. We want to investigate the handling of these matters, and want things changed so as to give these underquota States some of these places here in the District of Columbia.

Mr. MAPES. It tries to do so.

Mr. JEFFERS. Mr. Speaker, I yield to the gentleman from Kentucky to ask a question.

Mr. BROWN of Kentucky. Since it now appears beyond question that there can be no partisanship applied by the Civil Service Commission, may I call attention to a situation in my own State, and ask how in the city of Louisville, under a Republican administration, with a Republican mayor last year, the registration books of that city showed that with 800 policemen on the police force 799 of them were registered as Republicans and 1 of them was registered as a Democrat. I wish to know how under a system where you cannot play politics something like that happens. [Applause.] I want to know how that one single Democrat got there.

Mr. OLIVER of Alabama. Mr. Speaker, will the gentleman yield?

Mr. JEFFERS. I yield for a question.

Mr. OLIVER of Alabama. To be so credulous as to accept without question a statement made by a party to be investigated as being full, complete, and altogether satisfying may be virtue which I do not possess and fail to appreciate. However, even the distinguished gentleman from Michigan has not always exhibited that degree of credulity in reference to other matters where like questions have arisen. He bases his objection to this resolution solely on the ground that what the Commission has reported to him is absolutely correct and complete and insists it contains all the information any Member of the House should want or should desire. Please remember this statement is submitted by the Commission which is to be investigated and is responsive only to such questions as the gentleman from Michigan asked. I assume that if the pending resolution passes, the Civil Service legislative committee will broaden the field of inquiry, and will no doubt elicit much information not called for by the gentleman from Michigan.

Mr. GREEN. Mr. Speaker, will the gentleman yield?

Mr. JEFFERS. I yield.

Mr. GREEN. Any adverse criticism aimed at the Civil Service Commission, or any unfavorable criticism of it, has been brought about by the other party. They are absolutely responsible for it. During the past 12 years the Civil

Service has been used as a medium to absolutely load the Government in every department with Republicans, and you know it. [Applause.] They do not want to have us get the information that we need in order that those States that do not have their quota may get it. I hope this resolution will be passed.

Mr. Speaker, I now move the previous question on my amendment.

Mr. JEFFERS. Mr. Speaker, I move the previous question on the amendment.

Mr. BOILEAU. Mr. Speaker, is it possible to secure recognition in opposition to the amendment?

The SPEAKER. No; not now.

The question is on ordering the previous question on the amendment.

The previous question was ordered.

The SPEAKER. The question is on the adoption of the amendment.

Mr. BOILEAU. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The previous question has been ordered on the amendment.

Mr. SNELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SNELL. The gentleman from Georgia opened up the rule for amendment, and the gentleman from Alabama offered an amendment. I claim that other amendments are in order if one amendment is in order.

The SPEAKER. The previous question has been ordered on the amendment.

Mr. SNELL. It was ordered on the amendment offered by the gentleman from Alabama, but the previous question has not been ordered on the rule.

Mr. BLANTON. Mr. Speaker, I make the point of order that the gentleman in charge of the resolution [Mr. Cox] is in control of the floor; that he can yield to those to whom he wants to yield; and that no one else has any right to offer an amendment unless he yields to him.

Mr. SNELL. When the gentleman yields for an amendment he yields the floor.

Mr. BLANTON. No.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

Mr. COX. Mr. Speaker, I move the previous question on the adoption of the resolution.

Mr. SNELL. Mr. Speaker, I wish an answer to my question why the gentleman from Wisconsin cannot offer an amendment so long as the resolution has been opened up to amendment.

The SPEAKER. If the Chair recognizes him, he can do it.

Mr. COX and Mr. BOILEAU rose.

The SPEAKER. The Chair recognizes the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Speaker, I move the previous question on the resolution.

Mr. SNELL. Mr. Speaker, I understood the Speaker to say that he would recognize the gentleman from Wisconsin [Mr. BOILEAU].

The SPEAKER. The Chair did not say that the Chair would recognize the gentleman from Wisconsin. The Chair said that if the gentleman from Wisconsin were recognized, he would be entitled to offer an amendment.

Mr. SNELL. Mr. Speaker, one further question, and I am perfectly honest about this. If I understand the parliamentary situation, when a resolution of this kind is opened up for amendment, the gentleman in charge of the resolution loses control and another Member may offer another amendment. Is this correct or not?

The SPEAKER. If recognized; yes.

Mr. SNELL. If recognized? I do not think that answers the question, with all due respect to the Speaker.

Mr. BLANTON. Regular order, Mr. Speaker.

The SPEAKER. The Chair recognized the gentleman from Georgia and the gentleman from Georgia moved the previous question.

Mr. MAPES. Mr. Speaker, I make a point of order—
Mr. BLANTON. I call for the regular order, Mr. Speaker.
Mr. MAPES. A point of order, Mr. Speaker.

Mr. SNELL. The gentleman need not get excited over this. We are going to take a little time on it.

Mr. BLANTON. Mr. Speaker, with all due respect to our good friend, the distinguished minority leader, who I recognize has a perfect right to fight for these things, he is fighting a losing game; and I ask for the regular order, which is on the motion for the previous question.

Mr. SNELL. Mr. Speaker, I raised the point of order, and did not yield to the gentleman from Texas.

The SPEAKER. The Chair will hear the gentleman on the point of order.

Mr. SNELL. The point of order which I tried to make, and which I thought the Chair sustained, was that when the gentleman in charge of the resolution opened it up for amendment the gentleman from Wisconsin [Mr. BOILEAU] had the right to offer a further amendment.

The SPEAKER. If recognized; yes.

Mr. BLANTON. But he has not been recognized.

Mr. SNELL. I understood the Chair to say he would recognize the gentleman.

The SPEAKER. No.

Mr. SNELL. That is mighty poor procedure.

Mr. BLANTON. Regular order, Mr. Speaker.

Mr. MAPES. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. MAPES. Mr. Speaker, I desire to make a further point of order. Upon the introduction of the resolution the gentleman from Georgia [Mr. Cox] was entitled to 1 hour, and one half of that time he yielded to the gentleman from Pennsylvania [Mr. RANSLEY], and that 30 minutes of time has not yet expired.

Mr. COX. Mr. Speaker, let me make this explanation: I went over to the other side and consulted, not with the gentleman from Pennsylvania [Mr. RANSLEY], but with another member of the committee who was sitting by, and asked if they desired more time, because I wanted to move the previous question on the resolution, and I was informed it would be satisfactory for me to move the previous question.

Mr. BLANTON. And the previous question has been moved, and I ask for the regular order.

Mr. TABER. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. BLANTON. Oh, we can get a quorum here.

The SPEAKER. The Chair will count.

Mr. BLANTON (interrupting the count). Mr. Speaker, I make the point of order that they cannot break a quorum here by the Republicans now leaving the Chamber.

Mr. BYRNS. Mr. Speaker, at least half a dozen Republicans have just walked out of the door, and I want the Record to show that.

The SPEAKER. The Chair will commence the count on that side.

Mr. SNELL. The Republicans have not enough Members in this House to even break a quorum. [Laughter.]

Mr. BYRNS. I want the Record to show that the Republicans are deliberately trying to break a quorum while the House is endeavoring to pass this resolution.

Mr. SNELL. Oh, that is not the case at all.

Mr. BYRNS. There were at least half a dozen Republicans who went out of the door there just a few minutes ago.

Mr. SNELL. The Chair can count a dozen of them.

Mr. BLANTON. The Chair should also count the Members who are in the gallery.

Mr. SNELL. Mr. Speaker, I make a point of order against any suggestions to the Chair during the count.

The SPEAKER (after counting). One hundred and forty-eight Members are present, not a quorum.

Mr. BYRNS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

Mr. GOSS. Mr. Speaker, a parliamentary inquiry. Is this a call of the House or is it an automatic vote on ordering the previous question?

The SPEAKER. This is not an automatic vote on ordering the previous question.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 53]

Abernethy	Corning	Kahn	Pettengill
Adams	Cross	Kee	Polk
Andrews, N.Y.	Dear	Kemp	Pou
Auf der Heide	De Priest	Kennedy, N.Y.	Ragon
Ayers, Mont.	DeRouen	Kleberg	Randolph
Bankhead	Disney	Kramer	Rayburn
Beck	Dondero	Lambertson	Reed, N.Y.
Beedy	Douglass	Lanzetta	Reid, Ill.
Bland	Doutrich	Lea, Calif.	Robertson
Bolton	Eaton	Lehlbach	Robinson
Britten	Ellzey, Miss.	Lemke	Schulte
Brumm	Fitzgibbons	Lewis, Md.	Simpson
Buchanan	Fitzpatrick	Luce	Sirovich
Buckbee	Ford	McClintic	Snyder
Burke, Calif.	Gasque	McLeod	Steagall
Cady	Gavagan	McMillan	Stokes
Caldwell	Gifford	McReynolds	Stubbs
Carpenter, Nebr.	Gillette	Maloney, La.	Sullivan
Cary	Goldsborough	Marland	Summers, Tex.
Celler	Goodwin	Martin, Oreg.	Sweeney
Chavez	Hancock, N.Y.	Merritt	Terrell
Christianson	Hart	Montague	Treadway
Clark, N.C.	Higgins	Moynihn	Underwood
Cole	Hoidale	Muldowney	Vinson, Ky.
Collins, Miss.	Hornor	Norton	Wadsworth
Connery	Hughes	Oliver, N.Y.	Whitley
Cooper, Ohio	James	Perkins	Woodruff

Mr. HENNEY. Mr. Speaker, my colleague, Mr. HUGHES, is unavoidably detained on account of important business.

The SPEAKER. Three hundred and twenty-one Members have answered to their names. A quorum is present.

Mr. BYRNS. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question now is on the adoption of the resolution.

The question was taken; and on a division (demanded by Mr. SNELL) there were—54 noes, 177 ayes.

So the resolution was agreed to.

On motion of Mr. Cox, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

INVESTIGATION OF CIVIL SERVICE COMMISSION—EXTENSION OF REMARKS

Mr. HASTINGS. I ask unanimous consent to extend my remarks in the Record.

There was no objection.

Mr. HASTINGS. Mr. Speaker, the people of the entire country are intensely interested in this resolution which I have introduced providing for an investigation by the Civil Service Committee of the House to determine whether the Civil Service law of January 16, 1883, has been enforced, and if not why it has not been enforced. The people are not going to be satisfied until each State has its fair quota of Federal employees in the District of Columbia.

The third paragraph of section 2 of the act of Congress of January 16, 1883, being "An act to regulate and improve the Civil Service of the United States", is as follows:

Third, appointments to the public service aforesaid in the departments at Washington shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census.

The records disclose that there are approximately 33,000 Federal employees in the District of Columbia and that the 4 States of Virginia, Maryland, Iowa, and Vermont, and the District of Columbia, have 16,033 employees, approximately 50 percent of the entire number when they are only entitled to 2,005. In other words they had an excess of appointments, over and above their quota, in the very face of the above statute, of 14,026. The States of Delaware and New Hampshire have their exact quotas, and all the other States have less than their quotas.

I am inserting a table showing the quota to which each State is entitled:

Figures based on United States Civil Service Commission's late report on condition of the apportionment, 1933

States	Entitled to	Received	Excess appointments
QUOTAS IN EXCESS			
District of Columbia.....	132	10,778	10,644
Virginia.....	659	2,273	1,614
Maryland.....	444	2,112	1,668
Iowa.....	672	745	73
Vermont.....	98	125	27
Total.....	2,005	16,033	14,026
QUOTAS FILLED			
Delaware.....	74	74	
New Hampshire.....	145	145	

Present condition of the apportionment detailed by States

States	Entitled	Received	In arrears	Percent filled
Puerto Rico.....	482	24	458	5
Hawaii.....	115	13	102	11
California.....	1,544	342	1,202	22
Arizona.....	118	33	85	28
Alaska.....	18	5	13	27
Texas.....	1,584	433	1,151	27
Oklahoma.....	651	196	455	30
Michigan.....	1,317	442	875	33
Louisiana.....	571	207	364	36
Arkansas.....	504	180	324	36
New Jersey.....	1,069	408	661	37
Alabama.....	719	313	406	44
Mississippi.....	546	272	274	50
Georgia.....	791	384	407	48
South Carolina.....	473	228	245	48
Wisconsin.....	799	405	394	50
New Mexico.....	119	58	61	50
Ohio.....	1,807	925	882	51
Illinois.....	2,075	1,121	954	51
Oregon.....	259	125	134	48
Nevada.....	25	15	10	60
New York.....	3,423	1,868	1,555	54
Washington.....	425	240	185	56
North Carolina.....	862	485	377	56
North Dakota.....	185	130	55	70
Connecticut.....	437	254	183	58
Tennessee.....	711	438	273	61
Kentucky.....	711	481	230	68
Florida.....	399	276	123	69
Montana.....	146	90	56	61
Wyoming.....	61	41	20	67
Idaho.....	121	85	36	78
Colorado.....	282	215	67	76
Pennsylvania.....	2,619	1,976	643	75
Minnesota.....	697	543	154	77
Indiana.....	881	710	171	80
Nebraska.....	375	305	70	80
Missouri.....	987	780	207	79
South Dakota.....	188	160	28	85
Kansas.....	511	409	102	80
Utah.....	138	123	15	89
Rhode Island.....	187	173	14	92
Massachusetts.....	1,155	1,103	52	96
West Virginia.....	470	467	3	99
Maine.....	217	213	4	98

I was surprised at the opposition on the Republican side of the House to the passage of this resolution. I cannot see how anyone can justify opposition to this investigation. Surely no Member will want to say in the House or to the people of his own State that his constituents are not competent or worthy to serve the Federal Government. Opposition was voiced by the gentleman from Michigan [Mr. MAPES] who seemed to be anxious to bear the brunt of the fight.

According to the above table Michigan is entitled to 1,317 appointments, has received 442, or only 33 percent, and is in arrears 875 appointments. Will the gentleman from Michigan, or any other Member of the House be bold enough to say that out of the splendid citizenship of that State, so ably represented throughout the years both in the House and Senate, that competent men and women cannot be found in Michigan to fill the State's quota. I am sure no Member would give voice to such a suggestion within his own district.

Let us take the great State of Texas for example: It is entitled to 1,584 appointments, has received 433, or only 27 percent, and is in arrears 1,151 appointments. With all the splendid men and women who make up the citizenship of that State, will anyone rise and say that Texas should not have full opportunity to fill its quota of Federal employees.

My own State of Oklahoma is entitled to 651 appointments, has received 196, or only 30 percent of its quota, and is in arrears 455 appointments. The people of Oklahoma, men and women, are urging their delegation, both in the House and Senate, to see that they are fairly dealt with, and I am determined, insofar as I am concerned, to press this matter until the act of January 16, 1883, is complied with.

I direct the attention of every Member of the House to the above table and to the quota to which each State is entitled and has received, and ask them to answer by their vote whether they are willing to allow 3 or 4 States surrounding the District of Columbia to have one half of the employees of the Government in the very face of the mandatory statute of January 16, 1883.

I know some will say it is impossible to get the exact quota for each State. If not, it should be approximated. I feel absolutely sure, aside from a few extremely technical positions, that every State in the Union could furnish splendid men and women to fill its quota at least to 99½ percent. Now, we are going to know the reason why this statute is not enforced, and we are going to insist that as to future appointments under the Civil Service that no more appointments will be made from those States which now have more than their quotas until the States having less than their quotas are recognized.

The Civil Service Committee of the House is one of the outstanding committees, and it has an able chairman in the person of the gentleman from Alabama [Mr. JEFFERS], and I am sure that under his leadership that the committee will call before it the members of the Civil Service Commission and its subordinate officials and not be satisfied until all the facts are disclosed. The committee is also authorized to call before it the heads of the various departments and bureaus to ascertain whether or not lists of eligibles who are residents of the States which have not received their full quotas of Federal employees have been regularly furnished by the Commission from which appointments could be made.

The Membership of the House has great confidence in the Civil Service Committee and confidently expect that all facts will be developed and that a report will be made to the House at an early date which will disclose why the Civil Service Act of January 16, 1883, has not been complied with, and if additional legislation is necessary for the enforcement of that act, that recommendations for such legislation will be embodied in the report of the committee.

Let me repeat that in the face of the Civil Service Act of January 16, 1883, I cannot follow the reasoning of any Member of the House in opposing the resolution to make this investigation. If there is any reason why the law cannot be complied with, as was indicated by the gentleman from Michigan, it should be reported to the House. However, I know, as every other Member of the House knows, that the law has not been complied with and that there has really been no serious effort to comply with it. There was more partisanship disclosed in connection with the consideration of this resolution than with any other during the present session of Congress. The point of no quorum was made in the hope that the House would adjourn without action, and when the Speaker began counting the number of those present a large number of Republicans absented themselves from the floor in order that it would be disclosed that no quorum was present. I submit that no one can satisfactorily explain this opposition. It may be that our friends on the other side fear an investigation of the partisan Executive orders issued in the past 12 years covering so many partisans into the Civil Service. They should all be revoked.

I have no feeling about the matter except that I want to see fairness and justness done and the Members of the House will not be satisfied without a full, fair, and complete investigation, and then not until the Civil Service Commission, and the heads of the various departments and bureaus, comply with the provisions of the Civil Service Act of January 16, 1883, to the end that each State shall receive its

quota of Federal employees in the District of Columbia, as provided by that act.

The House placed a provision in the independent offices appropriation bill, 1934, as follows:

In making reductions of personnel due regard shall be given to the apportionment of appointments as provided in the Civil Service Act.

This raised a storm of opposition. The Washington newspapers discussed it at length from day to day. Attempts were made to amend, weaken, or destroy it.

Let us examine the provision a little more closely. If the act of January 16, 1883, requires that each State shall have its fair quota of Federal employees according to population, and if a large number of the States do not have their quota, then where is an injustice done any State, when Federal employees are about to be dismissed, to have them dismissed first from the overquota States. There is absolutely no argument against it. It is urged by some that efficiency should be considered, but in answer to that statement, efficient men and women can be found to fill every place in the Government service, except perhaps in a very few technical positions. Everybody admits that. Then, again, if we must fill the positions in accordance with the act of January 16, 1883, in proportion to population, why not take into consideration the quota each State has received in making the reduction of Federal employees? It is perfectly absurd to say that we cannot find efficient men and women from each State with which to fill their quotas.

MEMORIAL DAY—EXTENSION OF REMARKS

Mr. MONAGHAN. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD a speech by the Honorable WILLIAM M. COLMER, a Memorial Day address delivered at Charles Town, W.Va.

There was no objection.

Mr. MONAGHAN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following Memorial Day address delivered by my colleague, Hon. WILLIAM M. COLMER, at Charles Town, W.Va., May 30, 1933:

Mr. Chairman, ladies, and gentlemen, permit me first to assure you of my very keen appreciation of the honor you have bestowed upon me by inviting me to participate with you in the observance of this Memorial Day. I am not unmindful of this honor any more than I am aware of the unfortunate fact that due to the stress and the demands made upon one's time incident to the gigantic legislative program which is being rushed through the American Congress, I have been unable to give the time and attention to the preparation that your courtesy and the occasion justify.

On this, the occasion of my first having set foot upon historic West Virginia ground, I wish that time would permit my giving expression in some detail to my deep appreciation of the wealth of the history of this great Commonwealth and the substantial contribution that your magnificent State has and is making to the construction and maintenance of this great Republic. The wealth of your natural resources, coupled with your industrial accomplishments, are exceeded only by the fine and genial quality of your enlightened citizenship. On my short trip traversing that portion of your State through which I have this day traveled, I have been impressed profoundly with these facts. And may I not digress here, in expressing my appreciation of your uniform courtesy and hospitality, to congratulate you upon that outstanding, fine specimen of young manhood whom this district has honored with a seat in the Halls of the American Congress. Young, affable, intelligent far above the average, genial in his nature, and possessed of oratorical ability to subdue a mob or please an audience of the most intellectual, your Representative in Congress, JENNINGS RANDOLPH, is fast attaining the position of prestige and respect to which he is so surely destined.

How fitting and appropriate that on this occasion, in every hamlet and in every urban center throughout the United States, a patriotic and grateful American people have gathered to pay their homage and respect to those of the Nation's sons who have fought their country's battles and who have now finally and eternally passed from the gory battlefields of war into the eternal solace and quiet of the fields of peace. No longer do they hear the tramp of marching feet, the thunder of murderous cannon, or witness the carnage of modern warfare. With the boundless army of the dead, they await the triumphant bugle call of Gabriel himself into a life of everlasting peace. What a colorful occasion—the boys who wore the gray mingling with and joining in the comradeship of the boys who wore the blue and the khaki; youth, maturity, old age; the flower-bedecked stand; the colorful draping of the flag; the pleasing spectacle of the Stars and Bars interwoven with the Stars and Stripes; witness the Confederate veteran, adorned in the uniform of gray, with stooped shoulders, faltering steps, and eyes dimmed with age, a uniform the sight

of which once drove the enemy into hasty retreat, shoulders that once were so broad and manly, eyes that once directed a deadly fire and an accurate aim down a glistening rifle barrel, a faltering step that once proudly marched to victory against great odds. Though the shoulders be stooped, the step faltering, and the eyes be dimmed, there is in that weakened old heart as strong a love for the cause for which he fought as that which spurred him on at Chancellorsville and Gettysburg. His lines are fast diminishing. These brave heroes who brought honor to the South are falling under the fire of age and nature almost as fast as they fell under the murderous fire of the enemy in Pickett's gallant charge at Gettysburg. But a few more years will have elapsed before the last of them will have answered the last roll call. All hail these surviving heroes who so ably upheld the traditions of the South! All honor to their departed comrades who sleep the sleep of death!

It is not my purpose on this occasion to fight anew the cause of the South. Recorded history has determined that question beyond the realm of controversy. In spite of the efforts of sectional historians and partisan minds, the greatest fratricidal strife that was ever fought, when the blood of the brother of the North ran down through the same rivulet with the blood of the brother of the South, was not fought on the question of slavery. Its basis was more fundamental, its grounds more justified. The question purely and simply was: Did a sovereign State have the right to secede from the Union? The South maintained that it did—the North successfully opposed, by arms, that view. This inherent right, provided for by the Articles of Confederation and the Constitution itself, could not successfully be denied. It could only be overthrown by expediency. That right was maintained by the New England States long prior to the Civil War. It was jealously guarded by those States south of the line created by Messrs. Mason and Dixon. The cause of the South was as morally and legally right as was the expediency and fortunate culmination of the position maintained by the North.

We are told that the cause of the South is a lost cause. But can it be successfully maintained that any cause is a lost cause, the justice and the morality of which is right? But, approximately 70 years have elapsed in the space of time since that unfortunate strife was fought. That it was best that the Union should have prevailed is now as indisputable as was then the justice of the cause of the South. I shudder to think of what might have happened had the South prevailed. Unquestionably, other States, even of the Confederacy, would soon have maintained their right to secede because of some real or imaginary cause, and in the end might we not have had 48 separate and sovereign nations; or, worse still, weakened by the lack of union, might we not have soon fallen prey to some aggressive and unscrupulous foreign foe? In the memories of that deadly strife when our Southland was handicapped and overshadowed in money, men, and the other sinews of war, there is enough glamor and honor and justice to the valor of the South as there is fortune and wisdom in the happy culmination of the war.

But, any discussion of that tragic period between 1860 and 1865 of this Nation's history could not be considered complete without some reference and tribute to that great leader of the cause of the Confederacy and citizen of my own State, the indomitable, courageous, genteel leader from Mississippi, the first and only president of the Confederacy, Jefferson Davis. No cause ever had a more courageous and able leader than did the South in Jefferson Davis. No nation records in its history the parallel of one of its sons being more unjustly accused and maligned than in the case of this southern gentleman and American patriot.

It is easy to conceive how a military leader like Lee could be hailed even by his enemies as a great general. It has ever been the custom of a people to pay their homage and respect to their soldiers. There is, and always will be, a certain glamor about those who lead their men on the field of battle. It is equally difficult to justify the attitude taken by even a biased section in the futile effort that has been made to draw a distinction between the civil leader and the father of the Confederacy—on the one hand, Jefferson Davis, and on the other, that outstanding general of all times, Robert E. Lee. Jefferson Davis never advocated a principle in the cause of the South or promulgated an order for the effectuation of that principle that the idol of the South and the commander of the southern armies, General Lee, did not whole-heartedly approve and endeavor to carry out in blood, if necessary. There attaches to the one the glamor and the color of a great military career, hailed by all the world as comparable with that of Napoleon and Washington. In the unpartisan minds of those who think, and in the hearts of the southern citizenship, there is a love and devotion to the memory of the civil leader, Jefferson Davis, that comes only from the knowledge and the memory of a truly great man. Within my own congressional district and within a 15-minute drive of my own home, there nestles upon the shore of the Mexican Gulf kissed coast that historic shrine to which all true southerners turn their eyes and their steps to pay respect and homage to this magnificent specimen of American manhood—Beauvoir—that stately old southern home, nestled amid the oaks and the pines, where Jefferson Davis spent his last days in peace and quiet.

Almost daily it is my privilege and my pleasure to gaze upon the statue of Jefferson Davis in the Hall of Fame of the Nation's Capitol where it rightfully belongs with the other truly great Americans like Washington, Lincoln, and Lee. History in the future, written by an unbiased hand, will place this man's name in the everlasting memory of those who appreciate the great. A few weeks ago there was a whisper of a suggestion that due to the

tremendous weight of the statues of America's noted men the floor of the Capitol was weakening and that it might be necessary to remove approximately half of these statues of our heroes. It was rumored that the statue of Davis might be one of those. Immediately there was a substantial and vigorous protest filed to the effect the statue of Jefferson Davis must not be removed from the Nation's Hall of Fame. But, after all, there is no need for a statue of bronze or marble erected to this much maligned and abused and misunderstood man of the South. He already has and always will have in the hearts of the true southerners a monument with which no monument of bronze or stone can compare. If every southerner who loved the name of Jefferson Davis should but bring a pebble to this spot today and pile them in order, there would be a monument erected that would pierce the ethereal blue of these southern skies. If I am appreciative of the significance of this occasion, I fear that I have already given too much space in the allotted time to the memory and the cause of the South. Those were the stirring days about which the poets love to sing and the artists like to paint. But those tragic days are but history. Thank God the Union was saved.

The scene must be shifted in the progress of the Nation, for in 1917 and 1918 America contributed in a substantial manner to the winning of another strife. When the Germans were hammering at the gates of Paris, America's pride—the flower of its young manhood—was called upon to go across 3,000 miles of trackless ocean, infested with deadly submarines, there to fight a foreign enemy upon a foreign soil. Need I remind you that it was the American soldier who, when it appeared that the sun of civilization was about to set and it looked as though 2,000 years of Christianity had been in vain, at the battles of the Argonne and Chateau-Thierry turned back the invading Germans and saved for posterity the wealth of civilization accumulated throughout the Christian era.

Sometimes when legislation is being enacted in the present strife I wonder if, after all, we are as appreciative and grateful as we should be to those heroes who so valiantly fought the Nation's battles in the recent World War. And may I not digress to state in passing that the apparent injustices which are threatening to result from certain legislation to our veterans will be righted in the very near future. I say this as one who in this great crisis of the Nation has steadfastly and consistently, as a Member of Congress, supported the President, the Commander in Chief, in his war against the depression. With a love for the cause of the veterans of all wars, surpassed only by the love and devotion which I harbor for my own immediate family, I have reason to believe after having discussed these matters with him, who himself is a disabled American veteran of the World War, the present occupant of the White House, that he has a heart as full of gratitude and sympathetic understanding as it is of courage and devotion to country, and he will take—nay, he is taking—steps, with the power that was entrusted to him by Congress, to right these wrongs before they are inflicted.

It was my privilege some 5 years ago to make a pilgrimage along with some 20,000 other legionnaires to France to attend an American Legion convention in Paris. On that trip I had occasion to visit an American cemetery at Chateau-Thierry. I shall never forget the scene I witnessed there. There on the sloping hillside of that famous battle ground I saw row after row of tiny white crosses glistening against a green background in the morning sunlight, marking the last resting place of many a devoted American mother's son. I saw an American mother who, too, had made the pilgrimage over there to this international shrine to locate and view for the only time in her life that sacred plot of earth which entombed all that was sacred and dear to her. I saw her garbed in her simple black gown as she walked between the rows of crosses seeking the legend that marked the spot of him she had given in the cause of God and country. Her step was faltering, her eyes were dimmed with tears and with age. I saw that tiny, feeble, white hand as it rested upon that tiny white cross, and with hot tears of sorrow and pride dropping in christening drops upon the poppies and grass that there grew. I stood in awe and respectful silence and wondered what must be the thoughts that welled up within her. I thought if she must not be wondering how that boy's precious blood must have colored the stream of civilization as it ran in tiny rivulets into the stream of death. America must not, America will not forget the debt of gratitude that she owes to the memory of those who died that we might live and those who fought that we might prosper in that great strife.

But we are discussing our yesterdays. Today this reunited country, reunited from the Gulf of Mexico, which borders my own native State on the south, to the Lakes, which separate us from our neighbors on the north, is engaged in another war—a peaceful but deadly economic war against the threat of a collapse of our economic structure. In my opinion, and I say this advisedly, this country today faces the greatest crisis it has ever faced in its history. It is not overshadowed by the doubtful days of the Revolution, the tragic days of the Civil War, or the threat of destruction of civilization of the World War. A brave fight is being waged by a reunited, patriotic American people. It is true that no foreign foe threatens to invade our sacred soil. The dove of peace appears to flit tranquilly about the Nation's horizon, but the potentialities of another great internal strife are seething beneath the surface. As a result of the great world-wide war, the whole economic structure of the world has been upset. Trade relations have almost ceased between the nations of the world. The wheels of industry have become corroded with idleness.

People have become despondent, and until recently, with the advent of that superb and courageous leader, Franklin D. Roosevelt, into the White House, there was almost a collapse of confidence in our Government and our Government officials. Legislation having for its purpose the relief of the distressed, the employment of the idle, and above all the restoration of confidence is being enacted by your National Congress. There must be, I know there will be, a revival of business and a restoration of confidence among our sorely distressed people as a result of this indomitable leadership and this remedial legislation.

But, may I not remind my patriotic hearers who have evidenced their patriotism and their love of country by their presence here on this occasion that legislation and leadership, however wise and courageous, alone will not restore prosperity and confidence and America to its just place in world affairs? The unprecedented and unnatural prosperity which followed in the wake of the World War has, to a great extent, brought with it attendant sordid lust for gain and material things. It was not prosperity of this sort that made this country truly great, for—

"Ill fares the land, to hast'ning ills a prey,
Where wealth accumulates and men decay."

It was rather the intelligence, patriotism, and the Christian fortitude of our forefathers that gave America its enviable position in the sun of world affairs. So, hand in hand, with the courageous and intelligent leadership of the great Franklin D. Roosevelt must come an old-fashioned revival of American patriotism, fortitude, and Christianity. There must be a "renaissance", a rededication of those great and everlasting principles which really made America. We must forget the desire for material and sordid wealth, even as we have buried sectional jealousies and hatred. United, as one people, with these lofty principles of our forefathers to guide us in the future as they have steered us in the past, America will survive this crisis and come out triumphant, resplendent in its glory, overcoming all obstacles in the future as it has in the past, looking to the establishment of peace throughout the world.

Mr. BYRNS. Mr. Speaker, at the request of the Interstate and Foreign Commerce Committee, I ask unanimous consent that that committee may have until 12 o'clock tonight to file a report.

The SPEAKER. Is there objection?

Mr. ROGERS of Oklahoma. Reserving the right to object, gentlemen on the Republican side mentioned my State in discussing the Civil Service changes, and said that the people from Oklahoma and some other States had not been able to qualify and did not want the jobs. I do not want the Record to show that. I am willing that the statement should stand that they were not able to qualify, but I do not want the Record to show that they did not want the jobs. [Laughter.]

Mr. TINKHAM. Reserving the right to object, Mr. Speaker, before that consent is granted, I desire to ask that I may address the House tomorrow morning for 20 minutes.

Mr. O'BRIEN. I object.

Mr. KENNEY. I object.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee that the Committee on Interstate and Foreign Commerce have until midnight tonight to file a report upon the railroad bill?

Mr. McFADDEN. Mr. Speaker, I reserve the right to object.

Mr. BYRNS. Mr. Speaker, let me say to the gentleman from Pennsylvania [Mr. McFADDEN], if he will reserve his objection, that his objection to the filing of this report between now and 12 o'clock tonight means that this bill cannot be taken up tomorrow, and that this House will be absolutely without any business to do tomorrow. If the gentleman wants to go before the country with the responsibility that this House loiters tomorrow because it has no business, of course, that is his privilege, but when everybody here is desirous of adjourning and getting away, when the country is anxious to have the Congress adjourn, I do hope that there will be no objection. If objection is made, it will take two or three times longer than otherwise would be taken. I hope the gentleman will be reasonable about the matter and permit us to file the report between now and 12 o'clock tonight.

Mr. SNELL. Mr. Speaker, to a certain extent I think the statement made by the gentleman from Tennessee is correct. Of course, there has been a little misunderstanding here. The gentleman from Massachusetts [Mr. TINKHAM] asked for 15 or 20 minutes yesterday, and I think he ought to have been granted that time. I think perhaps we can make some arrangement whereby the gentleman can file his report and

the gentleman from Massachusetts can get 15 minutes in which to address the House.

Mr. FISH. Mr. Speaker, further reserving the right to object, may I say this to the gentleman from Tennessee. About the only right left to a Republican in this House is to speak on the floor of the House. We have not any right very often, even to discuss or offer amendments to legislation. I think a gentleman who has served 20 years in the House, who wants to talk on foreign affairs, who is a member of the Committee on Foreign Affairs, should have the right to do so. It is the only right left to the opposition in the House.

Mr. BYRNS. That is not involved in the matter before the House now. That matter can come up and be considered. The question is on the request that I make that the Committee on Interstate and Foreign Commerce have until midnight tonight to file a report, a usual request, and one that I never heard denied before.

Mr. FISH. It is a proper request, but so is the request of the gentleman from Massachusetts a proper request.

Mr. BYRNS. Let me say to the House that we have a rule here which makes it possible to take up this bill tomorrow. If the gentleman from Pennsylvania [Mr. McFADDEN] wishes to take the position that we shall take the bill up without printing, then, if this side of the House will agree, we will take it up anyway. [Applause on the Democratic side.] There is no sense in objecting to it.

Mr. FISH. We are not trying to get into any row, but we are trying to get the right of one Member to speak.

Mr. BYRNS. I do not object to the gentleman from Massachusetts speaking. I have declared my willingness and have urged gentlemen on this side not to object, but I cannot control that.

Mr. BLANTON. Mr. Speaker, the gentleman from Massachusetts [Mr. TINKHAM] has been a Member of this House for 19 years. On many questions he and I have vitally disagreed; but I believe that he should be accorded the privilege of speaking here, regardless of whether or not we like his speech. This is his public forum. This House is the public forum of every Member in it. There would be no such thing left as free speech if we seek to censor a Member's speech before he makes it. I sincerely hope that it will be arranged for the gentleman from Massachusetts to have 15 minutes as soon as the House meets tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. McFADDEN. Mr. Speaker, I object.

Mr. BYRNS. Mr. Speaker, I serve notice that we have a rule, an open rule, which will come up tomorrow at 12 o'clock, and while we may not have the printed bill, I hope that the majority of the House will agree to go on with the rule and discuss the bill tomorrow.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes.

Mr. SNELL. Will the gentleman be willing under general discussion of the bill to give the gentleman from Massachusetts 20 minutes? [Cries of "No!" on Democratic side.]

Mr. BYRNS. I am not going to be driven into this matter by tactics which have been shown here this afternoon by one gentleman on the Republican side. I had an agreement with the gentleman from Massachusetts and with the gentleman from Alabama [Mr. BANKHEAD] that he should have time at the conclusion of those rules, and one single objection on the Republican side increased by an hour's time consideration of the first rule presented.

If that objection had not been made it could have been disposed of in 5 minutes.

Mr. McFADDEN. Mr. Speaker, in view of the statement just made, I want to remind the gentleman from Tennessee [Mr. BYRNS] and the Members of the House, of the colloquy that took place between us two gentlemen this morning when I asked him to yield to the gentleman from Massachusetts, and to ask unanimous consent that the gentleman from Massachusetts [Mr. TINKHAM] should be permitted to speak, and the gentleman from Tennessee [Mr. BYRNS] himself refused to do that.

Mr. BYRNS. I am not going to ask unanimous consent for any gentleman upon that side to take 15 or 20 minutes to discuss the subject which I understand is in the mind of the gentleman.

Mr. McFADDEN. That proves the statement that the gentleman did not intend to carry out his agreement.

Mr. BYRNS. That is not true, and the gentleman knows it. The gentleman undertook to interfere in an agreement in which he had no part and with which he is not concerned, and if the gentleman had kept out of the proposition this morning, the gentleman from Massachusetts [Mr. TINKHAM] would have finished his speech and we would all have been home by this time. [Applause.]

Mr. McFADDEN. I will say to the gentleman—

Regular order was demanded.

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. PARKER of New York. Reserving the right to object—

The SPEAKER. Is there objection.

Mr. PARKER of New York. Yes. I object.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 285. An act to authorize the addition of certain lands to the Ochoco National Forest, Oreg.; to the Committee on the Public Lands.

S. 317. An act authorizing the Reconstruction Finance Corporation to make advances to the reclamation fund; to the Committee on Banking and Currency.

S. 324. An act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes; to the Committee on the Public Lands.

S. 696. An act to authorize Frank W. Mahin, retired American Foreign Service officer, to accept from Her Majesty the Queen of the Netherlands the brevet and insignia of the Royal Netherlands Order of Orange Nassau; to the Committee on Foreign Affairs.

S. 1103. An act to authorize the Secretary of the Navy to proceed with certain public works at the Naval Air Station, Pensacola, Fla.; to the Committee on Naval Affairs.

S. 1104. An act to authorize the Secretary of the Navy to proceed with certain public works at the Naval Air Station, Pensacola (Corry Field), Fla.; to the Committee on Naval Affairs.

S. 1513. An act to amend Public Act No. 435 of the Seventy-second Congress, relating to sales of timber on Indian land; to the Committee on Indian Affairs.

S. 1536. An act giving credit for water charges paid on damaged land; to the Committee on Irrigation and Reclamation.

S. 1648. An act to amend the Reconstruction Finance Corporation Act, as amended, to provide for loans to closed building and loan associations; to the Committee on Banking and Currency.

S. 1738. An act authorizing the Reconstruction Finance Corporation to make loans to irrigation districts for certain purposes; to the Committee on Banking and Currency.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J.Res. 48. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Posheng Yen, a citizen of China.

ADJOURNMENT

Mr. BYRNS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 4 minutes p.m.) the House adjourned until tomorrow, Friday, June 2, 1933, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

84. Under clause 2 of rule XXIV, a letter from the Chairman of the Reconstruction Finance Corporation, transmitting a report of the activities and expenditures of the Reconstruction Finance Corporation for the month of April 1933, together with a statement of loans authorized during that month, showing the name, amount, and rate of interest in each case (H.Doc. No. 59), was taken from the Speaker's table, referred to the Committee on Banking and Currency, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. SUMNERS of Texas: Committee on the Judiciary. House Resolution 163. Resolution authorizing the Committee on the Judiciary to investigate the official conduct of Judge Halsted L. Ritter; with amendment (Rept. No. 191). Referred to the Committee of the Whole House on the state of the Union.

Mr. POULSON: Committee on Rules. House Resolution 169. Resolution providing for the consideration of S. 1580, an act to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended; without amendment (Rept. No. 192). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SUMNERS of Texas: A bill (H.R. 5862) to provide for the removal of American citizens and nationals accused of crime to and from the jurisdiction of any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction; to the Committee on the Judiciary.

Also, a bill (H.R. 5863) to prevent the loss of the title of the United States to lands in the Territories or territorial possessions through adverse possession or prescription; to the Committee on the Judiciary.

By Mr. KNUTE HILL: A bill (H.R. 5864) to authorize the payment of expenses of delegates of the Yakima Confederated Tribes of Indians while on a mission to represent such tribes before Congress and the executive departments at the seat of government, and for other purposes; to the Committee on Indian Affairs.

By Mr. MARTIN of Oregon: A bill (H.R. 5865) conferring jurisdiction upon the Court of Claims to hear and determine claims of certain bands or tribes of Indians residing in the State of Oregon; to the Committee on Indian Affairs.

By Mr. SMITH of Washington: A bill (H.R. 5866) to reenact provisions of law relating to disability compensation for World War veterans and to pensions for Spanish-American War veterans, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. WEIDEMAN: A bill (H.R. 5867) to amend the Public Utilities Commission law embodied in section 8 of the act making appropriations to provide for the expenses of the government of the District of Columbia for fiscal year ending June 30, 1914,* and for other purposes, approved March 4, 1913; to the Committee on the District of Columbia.

By Mr. MAPES: A bill (H.R. 5868) to fix the rate of interest on loans secured by Government life-insurance policies; to the Committee on World War Veterans' Legislation.

By Mr. PETERSON: A bill (H.R. 5869) to prevent discriminations in the granting of financial aid to farmers; to the Committee on Agriculture.

By Mr. KNUTSON: A bill (H.R. 5870) to permit the manufacture, sale, and/or possession of 3.2 percent beer in the

Chippewa Indian Territory in the State of Minnesota; to the Committee on Indian Affairs.

By Mr. HOWARD: A bill (H.R. 5871) to provide for the protection and conservation of the grazing resources of the undisposed of ceded Indian lands, the tribal title to which remains unextinguished; to the Committee on Indian Affairs.

Also, a bill (H.R. 5872) to provide for the more efficient administration of the Indian Service, and for other purposes; to the Committee on Indian Affairs.

By Mr. POULSON: Resolution (H.Res. 169) providing for the consideration of S. 1580, an act to relieve the existing national emergency in relation to interstate railroad transportation, and to amend sections 5, 15a, and 19a of the Interstate Commerce Act, as amended; to the Committee on Rules.

By Mr. LAMNECK: Resolution (H.Res. 170) to investigate alleged irregularities in connection with the purchase of materials or equipment for the use of the reforestation program; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EATON: A bill (H.R. 5873) to refer the claim of General Textile Corporation against the United States to the Court of Claims for a report on the facts relating to such claim, and for other purposes; to the Committee on the Judiciary.

By Mr. HOIDALE: A bill (H.R. 5874) for the relief of the Waterous Co.; to the Committee on Claims.

By Mr. LUNDEEN: A bill (H.R. 5875) for the relief of Edwin Lockwood MacLean; to the Committee on Military Affairs.

By Mr. MERRITT: A bill (H.R. 5876) for the relief of William Larson; to the Committee on Naval Affairs.

By Mr. REECE: A bill (H.R. 5877) granting a pension to Tanner S. Litton; to the Committee on Pensions.

By Mr. SHOEMAKER: A bill (H.R. 5878) granting a pension to Mary O. Lyman; to the Committee on Invalid Pensions.

By Mr. WEIDEMAN: A bill (H.R. 5879) for the relief of Joseph Zebelian; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1249. By Mr. AUF DER HEIDE: Memorial in the nature of Senate Joint Resolution No. 20 of the Senate and General Assembly of the State of New Jersey, requesting an appropriation be made to construct a ship canal across the State of New Jersey from Raritan Bay to Delaware River; to the Committee on Rivers and Harbors.

1250. By Mr. BEITER: Petition of Erie County committee, the American Legion, Buffalo, N.Y., endorsing any act of the President to safeguard the peace of the world, and urging Congress and the President to adopt a system of universal draft and conscription of all the country's resources and industries as well as the man power, in the event of war, and to advance the policy of universal draft in all international conferences on disarmament and peace; to the Committee on Foreign Affairs.

1251. By Mr. JOHNSON of Minnesota: Petition of the Order of Railroad Telegraphers, protesting against the passage of the bill entitled "Emergency Railroad Transportation Act, 1933"; to the Committee on Interstate and Foreign Commerce.

1252. By Mr. KENNEY: Petition of the State of New Jersey, that the President and Congress of the United States are hereby memorialized and requested to provide a sufficient sum of money to construct a ship canal across the State of New Jersey from Raritan Bay to the Delaware River, at a point near the head of navigation, upon a right of way to be furnished by this State; that a copy of this

resolution be transmitted to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Member of the Senate and House of Representatives of the United States from the State of New Jersey; and that a committee of 3, 1 to be appointed by the Governor, 1 to be appointed by the President of the Senate, and 1 to be appointed by the Speaker of the House, be constituted to further this project and to personally present the same to the President of the United States from the State of New Jersey, and to take other steps as to such committee shall seem proper; to the Committee on Rivers and Harbors.

1253. Also, petition of Woodcliff Council, No. 237, of North Bergen, N.J., Sons and Daughters of Liberty, an organization composed of upwards of 100,000 native-born American men and women representing 26 States, urging upon Congress the immediate passage of House bill 4114, introduced by Hon. MARTIN DIES, having for its object a fixed quota pertaining to the admission of alien immigrants to this country, stating that the bill is a necessary one and cannot be objected to by any person having the interests of the country at heart; to the Committee on Immigration and Naturalization.

1254. By Mr. LINDSAY: Petition of Daniel Maltby Rugg, of Brooklyn, N.Y., opposing increased income tax and gasoline tax, and favoring a manufacturers' sales tax; to the Committee on Ways and Means.

1255. By Mrs. ROGERS of Massachusetts: Petition of Council No. 45 of the Sons and Daughters of Liberty, favoring the passage of House bill 4114 concerning immigration; to the Committee on Immigration and Naturalization.

1256. Also, petition of Council No. 17 of the Sons and Daughters of Liberty, favoring the passage of House bill 4114 concerning immigration; to the Committee on Immigration and Naturalization.

1257. By Mr. SUTPHIN: Petition of Freedom Council, No. 36, Sons and Daughters of Liberty, of Keyport, N.J., urging passage of House bill 4114; to the Committee on Immigration and Naturalization.

1258. By Mr. TRAEGER: Petition of the Legislature of the State of California, dated May 12, 1933, regarding the adoption, as part of an emergency unemployment-relief program, of a plan for the completion of worthy public projects, and to include therein the construction and maintenance of roads and highways; to the Committee on Labor.

1259. Also, petition of the Legislature of the State of California, dated May 12, 1933, regarding the adoption, as part of an emergency unemployment-relief program, of a plan for the construction of worthy public projects, and to include therein the construction of the Central Valley project of the California State water plan; to the Committee on Labor.

1260. Also, petition of the Assembly and the Senate of the State of California, dated May 9, 1933, urging Government use of American-grown rubber; to the Committee on Labor.

1261. Also, petition of the Legislature of the State of California, dated May 17, 1933, in regard to providing for the relief of California Indians; to the Committee on Indian Affairs.

1262. Also, petition of the Legislature of the State of California, dated May 17, 1933, regarding the prohibiting of the importation of crude petroleum and crude-petroleum by-products; to the Committee on Ways and Means.

1263. Also, petition of the Board of Supervisors of the County of Los Angeles, State of California, dated May 22, 1933, regarding unemployment relief and recommending the California community land chest bill for consideration; to the Committee on Labor.

1264. By Mr. WALDRON: Petition of the Pennsylvania Committee for Total Disarmament, urging the Congress to investigate munition manufacturing, propaganda, etc.; to the Committee on Interstate and Foreign Commerce.

1265. By Mr. WHITLEY: Petition of Alfred Dreyfus Lodge, No. 201, of the Independent Order Brith Abraham, and of Louis Ofsovitz, of Rochester, N.Y., urging official protest by

the United States against the treatment accorded Jews in Germany; to the Committee on Foreign Affairs.

1266. By the SPEAKER: Petition of Hoboken National Memorial Association, Hoboken, N.J., relative to setting aside a suitable plot of ground at the entrance of the piers, now in control of the United States Shipping Board, at Hoboken, as a national memorial to commemorate the egress and ingress of the valiant sons and daughters of the Nation who left or returned through this portal during the late World War; to the Committee on Public Buildings and Grounds.

SENATE

FRIDAY, JUNE 2, 1933

(Legislative day of Monday, May 29, 1933)

The Senate met at 11 o'clock a.m., on the expiration of the recess.

THE JOURNAL

On motion of Mr. ROBINSON of Arkansas, and by unanimous consent, the reading of the Journal for the calendar days of May 29 to June 1, inclusive, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. ROBINSON of Arkansas. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Byrnes	Long	Sheppard
Austin	Caraway	McGill	Stelwer
Black	Erickson	McNary	Thomas, Utah
Bone	Hale	Patterson	Trammell
Borah	Johnson	Pope	
Bratton	Kendrick	Robinson, Ark.	

Mr. ROBINSON of Arkansas. I wish to announce that the Senator from Nevada [Mr. PITTMAN] and the Senator from South Carolina [Mr. SMITH] are necessarily detained on official business.

I also wish to announce that the senior Senator from Tennessee [Mr. McKELLAR] and the junior Senator from Tennessee [Mr. BACHMAN] are necessarily detained from the Senate.

Mr. KENDRICK. I desire to announce that the following Senators are necessarily detained from the Senate on official business: The Senator from Washington [Mr. DILL], the Senator from Illinois [Mr. LEWIS], the Senator from Nevada [Mr. McCARRAN], the Senator from Oklahoma [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], the Senator from Nebraska [Mr. THOMPSON], and the Senator from Arizona [Mr. HAYDEN].

I also desire to announce that the following Senators are absent, attending a meeting of the Committee on Banking and Currency: Mr. ADAMS, Mr. BULKLEY, Mr. COSTIGAN, Mr. FLETCHER, Mr. GLASS, Mr. GORE, Mr. McADOO, and Mr. WAGNER.

I wish further to announce that the following Senators are detained from the Senate in attendance on a meeting of the Committee on Finance: Mr. HARRISON, Mr. WALSH, Mr. KING, Mr. BARKLEY, Mr. BAILEY, Mr. BYRD, Mr. CLARK, Mr. CONNALLY, Mr. GEORGE, and Mr. LONERGAN.

The VICE PRESIDENT. Twenty-two Senators have answered to their names. There is not a quorum present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. LOGAN, Mr. OVERTON, Mr. REYNOLDS, Mr. STEPHENS, and Mr. VANDENBERG answered to their names when called.

Mr. BARBOUR, Mr. BROWN, Mr. CAPPER, Mr. COOLIDGE, Mr. COPELAND, Mr. DALE, Mr. DICKINSON, Mr. FESS, Mr. MURPHY, Mr. RUSSELL, and Mr. WHITE entered the Chamber and answered to their names.

Mr. FESS. I wish to announce that the following Senators are detained either in attendance upon meetings of committees or upon official business: The Senator from Ne-